The good angels, although they are excluded from actuality, are not beings separated from the creation; although excluded from it, they do not cease to be present there. Every angel is the potency – idea – of a definite creation or individual (hence, since peoples are considered to be individuals, every people also has its angel, its spirit). The relation which man has to his good angel is the only connection left to him in his estrangement from God. Hence the good angels are called God's messengers

~ Schelling, VI:679

This is how the angel of history must look. His face is turned toward the past. Where a chain of events appears before *us*, *he* sees one single catastrophe, which keeps piling wreckage upon wreckage and hurls it at his feet. The angel would like to stay, awaken the dead and make whole what has been smashed.

~ Benjamin, Thesis IX

University of Alberta

The Ends of Law: Walter Benjamin's Conception of History

by

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Abstract

In this thesis, I explicate Walter Benjamin's philosophy of history, as presented in his late essay "On the Concept of History". I argue that Benjamin recognizes that the motivation of traditional, narrative philosophies of history lies in an experience of historical meaninglessness. Unfortunately, as a remedy for this experience of meaninglessness, narrative philosophies of histories ultimately perform an ideological legitimating function with respect to oppressive State structures, which serve as the subjects of the philosophy of history. Insofar as the State is both oppressive and constitutive of history, Benjamin considers the "end of history" to be the end of the State structure. In order to legitimate the revolutionary action that would bring about this "end of history" Benjamin analyzes the pre-narrative awareness of the past, given in "images" and "fragments," and discovers that the past exerts a normative force capable of providing such legitimation.

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Introduction

First of all, I would like to note that the following study constitutes a preliminary investigation of a particularly vexing question: namely, what does it mean – or could it mean – to be "historical"? It almost seems to go without saying that, for the post-Kantian tradition, for Hegel through Nietzsche, Heidegger and Adorno, Foucault, Ricoeur and Derrida, human beings are all *essentially* historical. Yet this apparent point of agreement is deceptive; there is, as far as I can tell, no univocal characterization of an "historical condition" amongst these thinkers. So why does it seem to be the order of the day to declare that human being is historical – "historical all the way down," even – when we are not even sure what this could mean?

Now, the following study certainly does not answer this question. Rather, it is a reconstructive study of the conception of history in the work of Walter Benjamin. Benjamin was a thinker who was intensely concerned with history – not simply with the events of the past, but with what it means to be historical, as well, in terms of the demands placed upon the present by the past, and with the relation of "history" to ideology and political action. Benjamin seems like a promising figure with which to begin, as a preliminary to a broader examination of what exactly it could mean to be distinctively historical, insofar as I hope that explicating his remarkably idiosyncratic writings on the subject of history will reveal significant (and perhaps overlooked) dimensions of the question; specifically, ethical and political dimensions occluded in existential considerations of "historicity" and undermined in traditional "philosophies of history".

While there has been something of a scarcity of serious philosophical engagement with Benjamin in the decades since his death, this is starting to change. He is, it seems, starting to become a slightly more topical figure. Though there are several important studies, a satisfactory systematic interpretation of Benjamin's conception of history is still lacking; after having familiarized myself with the relevant literature, I find there to be little common ground or consensus regarding what Benjamin means (or even, at very least, what he could not possibly have

meant), and the nature of his significance[1]. Thus, in addition to constituting a preliminary investigation of historical being, I understand a philosophical reconstruction of his conception of history to have the potential to contribute substantially to the philosophical study of Benjamin.

Michael Löwy's *Fire Alarm* and Rolf Tiedemann's "Historical Materialism or Political Messianism" are the only attempts at a systematic interpretation of his late essay "On the Concept of History". I will not deal with either at length, though a few comments seem necessary detailing the failures of each, which I hope to remedy. I find Tiedemann's work valuable, but misguided: he is too committed a Marxist to attribute to Benjamin as radical and idiosyncratic a conception of history as I think is at work in the text. Löwy's book on the essay is simply too superficial; while he is superb at detailing Benjamin's references, and offers an initially compelling *description* of (his take on) Benjamin's position, he most often fails to provide any sort of *reason* or *explanation* for why Benjamin might think a position compelling. This tendency to simply present "what Benjamin thought" with no concern for the question of "what reason do we have to think that this could possibly be the case" tends to mar much of the literature. In contrast, my intention is to act, to an extent, as a sort of "lawyer" for Benjamin (to use Kripke's characterization of his relation to Wittgenstein), to provide a coherent and reasoned reframing of Benjamin's position. That is to say, I will attempt an interpretive reconstruction that can make sense of the greatest range of Benjamin's work, while at the same time providing what I take to be the strongest reasoning for Benjamin's position. The following study can fall short, then, if its interpretation is too patchwork, or superficial, or if different (stronger) reasoning could produce a more cohesive interpretation. This approach is, I think, relatively rare amongst the commentators on Benjamin, and my interpretation is rather heterodox[2].

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[1] Most of these have been collected in *Walter Benjamin and History*, *Walter Benjamin's Philosophy: Destruction and Experience*, and the three-volume *Walter Benjamin: Critical Evaluations in Cultural Theory*. The studies by Peter Osborne, Howard Caygill, and Agamben, for example, are valuable and rich, but often fundamentally at odds with each other.

[2] Although his interpretation of Benjamin is most often simply the underlying motivation for his own studies, rather than anything explicit, one could most likely tease out many similarities between my view and that of Agamben. That being said, I will not address much of the literature in detail, though of course I will make some use of it.

Löwy and Tiedemann have, at least, sought to grapple with Benjamin's last completed work, "On the Concept of History". This work, which, at least biographically, constitutes Benjamin's final word on the subject of history, will be the central focus of the following study. There has been a deal of recent work done on Benjamin's historical thought, though, as mentioned, the disparity of interpretations is striking. I take to be the result of failing to take Benjamin as presenting a reasoned and internally consistent account, that is, the result of failing to take Benjamin on his own terms. As Fackenheim notes:

> It always possible, and often fashionable, to view philosophical doctrines in a non-philosophical perspective, by treating them as the mere product of the views of others, or of the social needs of the age... But this is always a risky procedure; for it involves dismissing the philosophy in question *as philosophy*... The central obligation which a... philosopher's expositor owes to his subject is to treat him – as a philosopher.[3]

A contrast between Tiedemann and Robert Gibbs may illustrate both the disparity of interpretation and the problematic interpretive strategies involved. As an example, at one interpretive pole, Tiedemann characterizes Benjamin's Theses as representing a break with orthodox and Soviet interpretations of historical materialism and an entirely secular enterprise which ends in failure: Benjamin's circumstances lead him to the abandonment of the concrete praxis of Marxist history for an impotent dream of messianic political rescue "from nowhere," so to speak[4]. However, no matter how skilled Tiedemann's textual exegesis, he fails to address the questions that ought to be of the utmost concern of a philosophical work on the *concept* of history: namely, what exactly *is* history, for Benjamin? What does it mean to "be historical"? What would it mean to have an historical experience or, at least, an historical understanding – and what would it require of a historian?

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[3] "Kant's Concept of History," pp. 35-6.
[4] Cf. "Historical Materialism or Political Messianism? An Interpretation of the Theses 'On the Concept of History'".

At the opposite interpretive pole, Robert Gibbs sees Benjamin as presenting a new mode of historiography wherein the historian takes up a responsibility placed on him by the past: historiography as the struggle to "redeem" past generations[5]. With reference to an exchange of letters between Benjamin and Horkheimer, Gibbs argues that Benjamin's position requires faith in the (causal) "openness" or affectivity of the past, in order that the ethical historian be able to effect (redemptive) change. However fascinating Gibbs' reflections, though, he likewise foregoes an extended philosophical discussion on Benjamin's own terms. The structure of ethical responsibility to which the "Benjaminian" historian responds is one derived from earlier analyses of Levinas and Rosenzweig, again completely ignoring the questions of the *concept* of history raised above.

But does such lack of interpretive agreement really justify an extended study of what is – seemingly – a mere unpublished fragment? According to Benjamin himself, the Theses remained unpublished owing to no perceived flaw in the work, but rather to the fear that they would remain – given their cryptic style – far too open to misinterpretation[6]. Nevertheless, he maintained that the Theses represented the crystallization of the ideas and themes that had been at work throughout almost the entirety of his thought:

> War and the circumstances that brought it about have
> led me to put down on paper some thoughts about
> which I may say that I have kept them about myself
> – and even from myself – for some twenty years.[7]

This is interesting, because the time-span mentioned encompasses not only Benjamin's "Marxist" period of the mid-20's to early 30's, but also his more explicitly "theological" (or "idealist") writings *prior* to his discovery of Lukács and Brecht. Moreover, it suggests that the Theses (and the accompanying working notes, or "Paralipomena") are the most mature expression of Benjamin's thoughts on history, and thus worthy of critical engagement. Therefore, where I make use of Benjamin's

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[5] Cf. "Why History?" in *Why Ethics? Signs of Responsibility*.
[6] Letter to Gretel Adorno, April 1940, cited in Michael Löwy, *Fire Alarm: Reading Walter Benjamin's 'On the Concept of History'*, p. 17.
[7] Ibid., cited in *Fire Alarm*, p. 18.

earlier works, I interpret them *in light of* "On the Concept of History", as harboring the thoughts that he might have kept hidden even from himself.

As mentioned, Benjamin seems to be assuming a slightly more respectable place in the canon of 20th Century philosophers. Undoubtedly, a major reason for the renewed attraction of Benjamin's thought is the manner in which he weaves together materialist analyses with theological language and concepts, as if – to him – the two were completely compatible and consistent. He seems an even more topical figure when one considers that today there has been staged a sort of confrontation between materialism on the one hand, and theology in the guise of "post-secularism" on the other, which is often cashed out in terms of the question of whether theoretical and practical priority ought to be accorded to "the political" or to "ethics"[8]. Famously, the place where these two stances – the revolutionary materialist and the theological – are interwoven most perplexingly and yet apparently, given Benjamin's presentation, most harmoniously, is in the first Thesis of "On the Concept of History"[9]. This is not to say that there is anything close to an agreement regarding the significance (in both its senses, of import and of meaning) of the image presented by Benjamin of 'historical materialism' as an automaton being operated by the hidden, "old and wizened" figure of theology. Nevertheless, one seemingly straightforward interpretation of the image immediately suggests itself. As Benjamin presents it, "theology" guides the movements of "historical materialism", specifically with regard to the understanding of history, that is, the image simply suggests that the two positions are working towards the same goals. To better understand this we might ask: 'Well, what does historical materialism *do*?'

First, historical materialism articulates a historical ontology allowing the delineation of epochs – despotism, feudalism, capitalism, etc. – by positing a motive force: the dynamic "forces of production". As Marx puts it, all history is the history of class struggle. Also, historical materialism provides an eschatology; history, as the history of class struggle, ends with the emergence of the classless society. Thirdly,

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[8] Note the polemics of Zizek as a representative of the "politically-minded" "materialist tradition" against what he calls the "post-secular deconstructionists" who – as he understands them – accord priority to the "ethical." See, for example, the opening remarks of *The Fragile Absolute* (pp. 1-2).

[9] "On the Concept of History", *Selected Writings*, vol. 4, pp. 389-400. All references to "On the Concept of History" will be given by Thesis number.

historical materialism posits an epistemic standpoint from which these claims can be made; despite the fact that the material substructure of society determines consciousness (and, therefore, its ideological blindness to the origin of its determination) Marx is able to transcend the distorting superstructure and make claims regarding the *true* nature of history. How is this possible? To give an all-too-brief Lukácsian gloss of the matter, it is because human beings are, essentially, what they do, and for Marx, we are essentially producers. But our human being is not atomistic; we relate *socially* to other human beings, so that our production is also the objective expression of social relations. The proletarian is radically oppressed, and thus he or she is able to see through the phenomena of reification, of commodity fetishism, in order to regard his or her alienated labor precisely as his or her alienated essence, that is, the proletarian becomes aware of his of her social position as such. In this situation the historical materialist position is tenable without ideological distortion and is actually the *self*-knowledge of the proletarian, insofar as the *essence* of the proletarian is her labor. Lastly, then, historical materialism is supposedly a predictive science; the ontology that allows for the categorization of historical epochs implies, by its own internal necessity,[10] the imminent overturning of the current capitalist order.

Benjamin's first thesis, however, implies that the functions of historical materialism are, rather, "theological". If, as the image further implies, the actions of hidden "theology" correspond exactly to those of "historical materialism," we must suppose that some form of theological position shares the same structure as historical materialism. Of course, the obvious move would be to interpret "theology" here as "messianism," for the claim that Marxism is a secularized messianism is neither new nor particularly controversial. Benjamin himself would have been familiar with such a theme from the work of Bloch and Lukács (both of whom were admittedly major influences on his formation as a "Marxist"). And, given the language of messianism that follows in the rest of the Theses, such an interpretive choice seems justifiable.

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[10] I.e. the necessity conferred on revolutionary change by the changing arrangement of productive forces.

There is, however, a problem with proceeding immediately in this fashion. Rebecca Comay has claimed that the image of the puppet and the dwarf is so complex as to be radically uninterpretable[11]. While I am not convinced that this is the case, her claim does foreground the issue that, insofar as their relationship requires deciphering, both "theology" and "historical materialism" function in this instance precisely as *ciphers*, and neither term can be taken at face value. Indeed, Benjamin's writings as a whole are infamously cryptic, and "On the Concept of History" is no exception, which creates an added difficulty for the would-be interpreter. A proper interpretation and reconstruction of Benjamin's position ought to be able to present it, as a coherent whole, but simply presenting this coherent whole would presuppose that the meanings of his terms were fixed and unproblematic. On the other hand, one would have to have a sense of the whole in order to discern the proper meaning of its parts. Benjamin presents an extreme case of this hermeneutic circle, to the extent that his writing is often so obscure or idiosyncratic as to prevent anything like an interpretation. As I will outline below, this issue will effect the development of my argument.

This essay is divided into six subsequent sections. In the first section, I provide some grounds for interpreting the Theses as having a Kantian background, which I lay out through an interpretation of Kant's philosophy of history. I argue that Kant's philosophy of history is motivated by a situation of meaninglessness related to his practical philosophy and the problem of realizing freedom in the public, phenomenal world. The second section deals with the implications of Kant's view. Specifically, I argue that Kant's philosophy of history is mythical to the extent that it replaces human agency in history with natural causality, and that this mythical narrative performs a legitimating function with regard to political-legal order. However, I argue, at the same time, there is a theological dimension to Kant's thought that undermines this legitimating function insofar as the past's claim to happiness cannot be fulfilled within history. Similarly, I argue, Benjamin's "messianic redemption" is predicated upon the claim of the past to happiness, which is disclosed in the possibilities of present happiness, and serves to call into question the legitimacy of

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[11] "Benjamin's Endgame," p. 246.

any particular political-legal order. But if history, as a meaningful narrative, no longer has a legitimate end within this world, the question arises: how can Benjamin claim to provide a meaningful concept of history? The aim of the third section, then, is to illuminate three aspects of Benjamin's thought: that prior to its reconstruction into legitimating narratives, the past is given originally in the fragmentary form of "dialectical images"; that the past, in its givenness, places a heteronomous claim upon the present, which becomes evident in the breakdown of tradition; and third, that this claim is opposed to the State which, as the subject of historical continuity, relies upon narrative philosophies of history for its legitimation. Subsequently, the purpose of the fourth section is fourfold. First, I attempt to demonstrate how, as Benjamin claims, the experience of the givenness of the past as placing a claim upon the present could only be possible thanks to his particularly unorthodox conception of historical materialism, which – precisely – presents narrative history as the ideological legitimation of an alien (illegitimate) State structure. Second, I explicate the experience that historical materialism makes possible as a "situation of the oppressed," wherein those oppressed by the State structure occupy a position both within and without narrative history: exposed to the force of the State yet nevertheless not bound by its norms or laws. Third, I argue that Benjamin's *Trauerspiel* study is an attempt to characterize Baroque drama as responding to a similar experience and, last, that this situation is grounded in the nature of political sovereignty. In the fifth section of this paper, I attempt to show how Carl Schmitt's theory of sovereignty can account for both the alien nature of the State with regard to its subjects and the continuity of the State as the subject of narrative history. This occurs through the violence that founds and preserves, yet suspends, the law. In the concluding section, I argue that Benjamin is attempting to legitimate the revolutionary violence of the oppressed. In order to do so, such violence must put an end to law and the State and therefore – insofar as these are the subjects of narrative history – must, in a sense, "end history".

As mentioned, Benjamin's language – and, indeed, his thinking – is often obscure and mysterious and therefore, while I have laid out the main notions running through the various sections, the following study does not progress in such a straightforward manner. Rather, in its form it is very much my own working-

through, my attempt to make sense of, Benjamin's essay. The "final picture" that I present needs to be justified with reference to the text, and yet the meaning of the terms that Benjamin uses only become clear in light of this final picture. Therefore, some of what I say in the first few sections appears vague, and only gains its full significance in light of the results, that is, becomes retroactively legible. I hope that this can be understood as an unfortunate necessity, and that – while somewhat vague – my first few chapters are intelligible enough to serve their function. Perhaps with a great deal more time a better solution could have been found for this problem.

Nevertheless, I believe I can outline a context of interpretation that will be of use in reconstructing a coherent and reasoned, that is, a genuinely philosophical view of just these interrelations, one that will illuminate Benjamin's understanding of what it means to be historical.

Problematizing History: The Kantian Background

First of all, we should keep in mind that Benjamin is explicitly writing on the *concept* of history. Although often referred to as the "*Geschictesphilosophie Thesen*," or "Theses on the Philosophy of History," Benjamin's only official title for the essay was "*Über den Begriff der Geschichte*"[12]. The term *Begriff* is a technical one, with some history behind it. A detailed consideration of this history is beyond the scope of my project, though I will briefly address the relevant points. Fred Rush points out that, in Benjamin's early "critical epistemology," he maintains a strict divide between "concepts" and "Ideas," with a certain sort of philosophical priority given to Ideas over concepts, which he occasionally took to have only an "instrumental value". Concepts are notions that subsume objects of experience and thus provide us with knowledge regarding them. Rush indicates that Benjamin implicitly emphasizes the etymological sense of *Begriff* as "grasping" or "taking hold". That is, conceptualizing an object is a manner of "taking hold" of that object, of appropriating it and determining it. Opposing Ideas to concepts, Benjamin:

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[12] Cf. Beiner, "Walter Benjamin's Philosophy of History," p 432, n. 1. Löwy's book uses this title almost exclusively, and tacitly suggests that its authenticity is confirmed by the final version of the text, the *handexemplar* discovered by Agamben (p. 19).

> … generally wants to avoid two ways of thinking of Ideas, both of which mistake them for concepts and then give different accounts of the nature of Ideas according to their rival views on what concepts are. On the one hand, Benjamin does not think that Ideas are atemporal "super-concepts," nor that we have special non-sensible access to Ideas first and then turn to an understanding of the structure of the world led by the knowledge we have gleaned from them. On the other hand, Benjamin rejects the view that Ideas are most general concepts arrived at by an empirical process of abstraction.[13]

In broad strokes, the early Benjamin considered the task of philosophy *not* to be the systematization or systematic presentation of knowledge or knowing, but rather the "representation of truth". Whereas a concept could be applied to a "particular" or a "phenomenon" on the basis of various properties, an Idea for Benjamin is something quite different. Rush makes the case that Benjamin's early work is deeply influenced by Jena Romanticism and, through the Romantics, by Kant's aesthetic theory. Analogous to Kant's notion of aesthetic ideas, for Benjamin Ideas are, like concepts, indeed presented sensibly, in and through conceptually determined phenomena, although Ideas themselves avoid or resist conceptual determination, in two ways. First, no particular constellation of conceptually determined phenomena exhausts an Idea, which could in principle be made manifest in and through some other constellation, and, second, no Idea definitively exhausts a given constellation, the "meaning" or – better – "significance" of which could always be some other Idea. Hence, for Benjamin, "Philosophical doctrine is based on historical codification. It cannot therefore be evoked *more geometrico*"[14]. The "historical codification of doctrine" refers to the fact that both the traditional meaning of terms, and the historical (social, political, and institutional) context in which they are used, form a milieu in which Ideas present themselves. In other words, the full significance

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[13] "Jena Romanticism and Benjamin's Critical Epistemology," p. 73.
[14] *Origin of German Tragic Drama*, p. 27. (Hereafter *OGT*)

of any meaningful, conceptual "constellation" of particulars is not merely a function of logical connection, but is also dependent upon the (socio-historical) context in which it is presented.

Granted, it is quite difficult to determine what, exactly, Ideas *are* for Benjamin; to do so would most likely require a substantial study in itself. Nor is my intention here to fully explicate Benjamin's early epistemology, but rather to note the fact that for Benjamin, there *is* a difference between concepts and Ideas. Perhaps it is not too far off the mark to suggest that an Idea, for the early Benjamin, is something like a radicalized version of the Kantian aesthetic idea, with two key differences. First, where for Kant an aesthetic Idea is simply meaningfully presented by a sensible particular, for Benjamin, the Idea presented in a conceptual constellation is also what renders such a constellation intelligible, and, second, the Idea presented does not, or at least appears not to, have any content of its own but rather signals towards an incomprehensible, or inaccessible, "Absolute".

Kant, clearly, also made important distinctions between concepts and Ideas. An Idea is a notion that neither constitutes the experiential possibility of its object, nor can be applied to any particular object within experience; that is to say, an Idea does not yield knowledge. Nevertheless, Ideas can be meaningfully, but non-cognitively, expressed in experience, as in the case of aesthetic Ideas, or they can extend significance (though not knowledge) beyond the realm of experiential knowledge in order to render experience meaningful as in the case of Kantian rational Ideas. This latter type of Idea is not determining but rather performs a regulative function: no intuition can give an example of an idea, though they serve to make sense of experiences that otherwise might appear paradoxical. Thus, for example, a rational *Idea* of history would suggest that the meaning of history is not evident within experience, and requires a further postulate in order to be made meaningful. A *concept* of history, in contrast, would imply that the significance of history is determinate and manifest *within* experience.

In addition, concepts are also – in Kantian and post-Kantian philosophy – the object of critique. While they may seem quite commonsensical in their applications, they nevertheless need to be denaturalized, to be put into question. The point being, in this case, that a questioning of the *concept of history* will involve raising a *quaestio juris*,

that is, will involve asking about the legitimacy and justification of its application, with the aim of correctly appropriating the object of history. In yet other words, one task of "On the Concept of History" is to investigate with what right we might call something "history," or "historical". The issue can be articulated in an ontological manner: what does it mean to *be* historical? And the ontological question here is inextricably linked to some notion of legitimacy.

Whether or not Benjamin's early epistemology survives in its entirety into his work of the late thirties, the point can be made: for Benjamin, *concepts* remain significantly different than *Ideas*, whatever they might be. With this in mind, we can state our third point: it seems quite likely that Benjamin's title "On the Concept of History" alludes to Kant's "Idea for a Universal History from a Cosmopolitan Point of View" (especially when one considers that, formally, the latter is also arranged as a series of theses on the philosophy of history), to the extent that he is consciously contrasting history as a *concept* to history as an *Idea*.

Further supporting evidence for this claim is given by Löwy, insofar as he notes that Benjamin's title "On the Concept of History" also likely references Scholem's early essay "On the Concept of Justice," which – whatever a concept might be for Scholem – is a rejection of relegating the subject to the ideal end of an infinite process or task. Scholem wholeheartedly rejects the neo-Kantian messianism of Hermann Cohen. For him, justice is not a merely regulative ideal, but something to be made manifest; that is, Scholem is reacting *against* a Kantian Idea of justice[15]. Given that Benjamin made a distinction, at least analogous to Kant's, between the two, *and* the fact that Benjamin, shortly before deciding upon the subject of Romantic art criticism, intended to write his dissertation on Kant's philosophy of history, I think that we are justified in making this claim.

But what is the significance of such an allusion? In both the completed work, and his working notes, Benjamin virulently attacks the neo-Kantian philosophy of the German Social Democrats, and these attacks have been thoroughly addressed in most of the relevant literature. But does the essay by Kant himself provide us with further context for interpreting Benjamin? In the remainder of this section, I will

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[15] *Fire Alarm*, p. 21. See also the citation in "Messianism in the Early Work of Gershom Scholem," p. 196: "Justice, like all Jewish concepts, is not a limiting concept… [or] a 'regulative idea'.

provide an interpretation of Kant's philosophy of history, focusing on the moral aporias motivating it, which will serve as a background for understanding Benjamin's.

Kant's essay is nominally motivated by a problem concerning human will. Everything phenomenal is determined, *a priori*, by concepts and laws including, among others, that of causality. If we consider the appearances of the will through action in the phenomenal world, then the course of human actions as it appears on the world stage ought to conform to the laws of its appearance. Yet human actions are also meaningful expressions of transcendental freedom, and should therefore also appear as such. Yet, this course appears to be a meaningless concatenation of events: sound and fury, signifying nothing. At this point, however, one might think that Kant is in fact presenting a false – or, at least, superficial – dilemma. For it is entirely possible (and most likely often the case) that phenomena are lawfully and regularly ordered without thereby presenting some greater "meaning". Indeed, for Kant himself, at least in the *Critique of Pure Reason*, empirical nature is just so: objects behave according to universal laws, without thereby signifying any greater meaning behind themselves. So, then, what is the problem?

The problem, in the case of history, is related to that which presents itself to Kant in the sphere of practical reason. The dilemma in the latter sphere pertains to the tension between phenomenality and will. We experience the world (perhaps primordially) as ethical agents, insofar as we have *ethical experiences*, that is, experiences in which we are confronted with a moral choice, which is discernible to the extent that our duty does not coincide with what we are inclined to do. But there is a problem, insofar as these ethical experiences compel us to some form of action. The same laws that determine both the appearance and behaviour of the objects of nature must also determine action, which is essentially public and thus phenomenal. The dilemma, therefore, is an explanatory one. We would like, in the interest of our moral consciousness, to explain our actions as arising from our ethical intentions, though it seems nevertheless necessary to explain them as the mere results of a contingent causal history. We should note that the question here is not simply whether human beings are free in some meaningful sense or not. Nor is it a matter of divining whether various actions are "purely" moral or not, that is, whether they are done for

the sake of fulfilling moral duty alone. Rather it is: can actions *be* moral? Is there a relation between action and intention? The problem for Kant's moral philosophy is thus, in a sense, the very possibility of ethics.

What has this to do with the problem of history? I would argue that, for Kant, the very possibility of a meaningful history is grounded in this aporia of moral philosophy. How so? It is all well and good if one's moral praise- or blameworthiness is a matter of private intention. However, the very substance of morally relating to others – which must be a public, phenomenal affair – is called into question: what we take to be our ethical relations may simply be the results of mere chance. How does Kant deal with this moral aporia? Without pretending to do justice to the architectonics of Kant's system, we can simply state that, for Kant, we are entitled to regard nature as *purposive*, or teleological. One hint that nature's purpose may coincide with our moral endeavours can be found in aesthetic experience, insofar as the experience of natural Beauty seems to require harmony between human understanding and nature. And the possibility of such coincidence is enough to rationally ground the belief that the progression of nature may coincide with the evolution of human reason towards a just legal order wherein moral action becomes legible:

> Everyone can see that philosophy can have her belief in a millennium, but her millenarianism in not Utopian, since the Idea can help, though only from afar, to bring the millennium to pass. The only question is: Does nature reveal anything of a path to this end? And I say: she reveals something, but very little.[16]

How does this render history meaningful? Human actions, as they play out in both time and (public) space, appear to be random at best, capricious at worst. The idea that there is some conscious plan to the course of past events is simply not credible. And, yet, *because* we take nature to be amicable to human ethical action, human history *ought not* to appear as a mere concatenation of random (and often terrible) events.

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[16] Kant, *Selections*, p. 422.

So Kant opens his essay at the very point of ethical dilemma. Why? The same factors that render action morally undecidable – namely, the law and rule of nature – are those that make a meaningful history possible. In the absence of any meaningful human purpose in history, Kant assumes that history *is* nature, that is, the natural teleology (of which we catch sight in aesthetic judgment) works itself out in the full realization of human capabilities (which would therefore be first and foremost Reason) in and through the institution of an international legal order.

But how can Kant do so? As the expression of some form of human freedom, must not history be opposed to nature as mere mechanism? Fackenheim notes that Kant cannot provide a *science* of history, and that the very notion of something like "history" as opposed to natural mechanism presents an issue for him. To resolve this issue, something like a "third sphere" between Nature and moral freedom must be posited, which Fackenheim will call "cultural freedom," insofar as "history" as the expression of human freedom is not necessarily an expression of moral freedom[17]. The issue, then, is how to make sense of history which is neither fully natural and mechanistic, nor fully rational and moral. In the *Critique of Practical Reason*, Kant must postulate that nature is hospitable to our moral endeavors, in order to make sense of them, and in the *Critique of Judgment* he attempts to find further evidence for this claim, in aesthetic judgment and, ultimately, in the teleological perspective that is a useful heuristic for biological science (although despite this useful heuristic, genuine biological explanation must be mechanistic)[18]. Roughly speaking, Kant, according to Fackenheim, assumes that the reasonableness of approaching aspects of Nature as teleological gives us grounds for approaching Nature as a whole teleologically. And if Nature as a whole is teleological, its aim must be an end in itself, namely, "the realization of morality". But, for Fackenheim, Kant's philosophy of history must fail because he cannot provide a necessary link between history and morality; the teleological heuristics of biology are not necessary, but merely useful in a narrow context. History, ultimately, is mere fact, devoid of value[19].

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[17] "Kant's Concept of History," p. 41.
[18] p. 43-4.
[19] p. 49.

But Fackenheim begins his analysis from Kant's essay "Conjectural Beginning of Human History," and offers no commentary on the Idea essay. Kant, in his very first Thesis, takes the teleological theory of nature for granted[20]. And he does so for the same reasons for which the postulates of God and immortality of the soul are necessary in the second *Critique*; without it, we cannot make sense of our moral experience. As Kant notes, abandoning the teleological theory would "destroy all practical principles"[21]. *This* is the necessary link between history and morality, the implication being that the achievement of the *summum bonum is* realizable in time, though not by any particular person. Human beings *as a race*, that is, as a "natural" phenomenon, constitute the subject of this task. The obligation and historical task of mankind, therefore, is to achieve the *summum bonum* through the natural evolution of mankind's capabilities. Kant, therefore, does not require an "intermediary" sphere of "cultural freedom" in order to make sense of history, as he is justified in regarding the two as identical[22]. This significance of this decision will be discussed in the following section.

Kant takes the motor of the natural evolution of human capacities to be in fact the impossibility of relating to one another ethically, namely, the condition of our "unsocial sociability," our inability to get along together on our own:

> The means employed by Nature to bring about the development of all the capacities of men is their antagonism in society so far as this is, in the end, the cause of a lawful order among men… By antagonism I mean the unsocial sociability of men.[23]

History appears meaningless when considered from the perspective of individual human beings (or even of human collectives). But when considered as a part of Nature, one can make sense of the course of past events as fitting together

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[20] Kant, *Selections*, p. 416.
[21] Ibid.
[22] Of course, the question would remain regarding how one could make sense of identifying "reason," as an autonomous activity of the subject, with the mechanics of Nature. I do not claim to be able to answer that question, but rather note that the fact that this question arises out of the identification of history and Nature does not thereby mean that Kant did not identify them. As the Fackenheim essay makes clear, on almost *any* interpretation, Kant's reflections on history raise grave problems.
[23] p. 417.

independently of (and, quite likely, often opposed to) conscious human activity. History, according to Kant, is "concerned with *narrating* these appearances [of the human will on the world stage]" and this

> permits us to *hope* that if we attend to the play of freedom of the human will in the large we may be able to discern a regular movement in it, and that what seems complex and chaotic in the single individual may be seen from the standpoint of the human *race* [and, thus, humanity as a Natural phenomenon] as a whole to be a steady and progressive though slow evolution of its original endowment.[24]

I have emphasized that, for Kant, immediately, *hope* becomes a function of *narration*, that is, of the *stories* we tell.

And this, precisely, is why Kant presents the *Idea* for a Universal History, as opposed to a *concept* of history. In contrast to concepts, Ideas are produced by Reason even though they can never be given genuine cognitive content. In other words, the things about which we have Ideas are never objects of knowledge, though they can structure our practical engagement with the world. Whereas concepts either determine *a priori* a possible object of experience, or are applied to objects in experience, they nevertheless are always given in or through experience, that is, through objects given in intuition. Ideas, on the other hand, signify "contents" that exceed all possible experience (e.g. an immaterial God, a cosmic totality, an immortal soul); nothing could possibly be given in intuition that would correspond to an Idea of Reason. Nevertheless, these Ideas play an important role in Kantian philosophy; they serve to make sense of human experience. This can be illustrated with reference to Kant's practical philosophy. In virtue of moral experience, human beings recognize themselves as ethical agents. But in making sense of ethical agency, specifically, of the duty of realizing the *summum bonum* – of realizing perfect virtue and perfect happiness – one confronts the Antinomy of Pure Practical Reason. Moral virtue makes one worthy of happiness, but obviously does not thereby make one happy; similarly, being happy, or pursuing happiness, clearly bears no intrinsic

connection to the realization of moral virtue. In fact, many times moral virtue and happiness seem to be at odds with each other. But, we are given to understand through moral experience, it is our moral obligation to realize the *summum bonum*. The Antinomy resides in the fact that, *within experience*, fulfilling this obligation is impossible. So, it appears that our moral experience obliges to an impossible task and thus, for Kant, to nothing:

> If, therefore, the highest good is impossible according to practical rules, then the moral law which commands that it be furthered must be fantastic, directed to empty imaginary ends, and consequently inherently false.[25]

But, if this were the case, we would still be left with moral experience, though now consisting only in the completely (and paradoxically) *nullified* obligation to pursue the highest good, or perhaps even moral virtue itself. So, in order to make sense of our ethical experience, we require the Postulates – or Ideas – of God and the immortality of the soul. Despite the fact that these cannot ever be objects of knowledge, never the kind of things about which we can make truth-claims, they nevertheless serve as *regulative Ideas*, which serve to make sense of our experience, and effectively structure our practical comportment in the world: we engage in the world *as if* we had a guarantee of immortality, or of the existence of God, but only "as if" because this sort of warrant could be grounded only in conceptual knowledge that ideas cannot provide. The Idea, in extending significance *beyond* experience, does not thereby assure us of a transcendent afterlife, but rather effectively structures our comportment in *this* world, *within* experience.

So, then, why is Universal History, for Kant, an Idea? Clearly, as an Idea, the notion of History is intended to make sense of our experience and effectively structure our practical comportment in conformity with our moral experience:

> A philosophical attempt to work out a universal history according to a natural plan directed to achieving the civic

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[24] p. 416. My emphasis.
[25] p. 306.

> union of the human race must be regarded as possible and, indeed, as contributing to this end of Nature.[26]

In what sense does this specifically historiographic project contribute to the realization of its projected end? According to Kant, it serves (among others) a justificatory function. It allows one to find a "guiding thread" in the history of Western civilization, that is, it provides an explanatory framework; the "confused play of things human" are clarified (and justified) as necessary stages on the path to realizing Nature's purpose. But most importantly, for Kant, the Idea of Universal History compels one to write history "for giving a consoling view of the future (which could not be rationally hoped for without the presupposition of a natural plan)"[27]. In the face of the *res gestae* of humanity's past, one requires an *historia rerum gestarum* as a consolation, which in this sense functions as a promise, a promise that a future will arrive that will redeem the past, and securely justify the present.

But, one might contest, if we had a *concept* of history, surely the same guarantees, the same warrant, could be had. In fact, *if* we had a legitimate concept of history, we would even greater consolation, greater certainty of the full actualization of humanity. Surely *knowledge* of this goal would more effectively structure our practical comportment. So there must be some reason why, for Kant, history remains an Idea. As I think is clear from the preceding explication, Kant understands humanity to be *in media res* with respect to history. The consoling future has not yet arrived which would serve as the "sign and seal" of the truth of his philosophical historiography. The significance of this "in the middle of things" is best illuminated, I think, in contrast with Hegel. Hegel, like Kant, understands the course of historical events eventually to lead to the attainment of the highest possible degree of human freedom[28]. So why is history not, for Hegel, simply a regulative Idea that informs our practice towards realizing human freedom? It is not so because, for Hegel,

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[26] p. 423.

[27] p. 424.

[28] Of course, this being only a comparative sketch, I am aware that I am most likely failing to do justice to Hegel, but I nevertheless take the points I am here presenting to be uncontroversial enough that, given my present purposes, I may simply lay them out. I am also aware of the differences between Hegel's history, understood as the progressive realization of the Idea of Freedom, and Kant's, understood as the development of natural human capacities, as well as the concrete differences between their characterizations of history's endpoint. However, as different as they may be, they are both still understood as the highest realization of human freedom.

History is essentially *over*. Whatever else it may be, and however it may have come to its end, the important point with regard to this comparison is that, insofar as it is over, one can survey History as a totality with a determinate meaning. It is this eschatological perspective that allows history to become an object of knowledge. We *know* that history has been progressing to this endpoint because we are *here*, and the possibility of radical novelty in history is inconceivable: the meaning of History is the current state of affairs. And, being here allows us the perspective necessary to tell the story of how we got here, that is, it enables us to discern – within the entirety of the past course of things – those events that explain how we got here. For Kant, however, the course of human affairs is still very much a work in progress, and thus the final meaning of History eludes its conceptual determination, even if one has conviction in the Idea.

So, we can now perhaps present a schematic summary, locating the core of the Kantian problematic with regard to history: human moral action, when public and phenomenal, becomes indiscernible from causally determined natural events and thus, in a sense, undecidable; we have some hope in the efficacy of our moral agency due to the teleological appearance of Nature, to the extent that Nature may be working towards the same (moral) goals as humanity; the *res gestae* of human history appear, from the perspective of individual humans or human collectivities, as a concatenation of meaningless activity; the teleological theory of nature allows one to regard human history as a natural progression towards the actualization of human capabilities (which will ultimately be a matter of realizing moral virtue in a just legal order); such an historical understanding is nevertheless not a matter of knowledge; the course of human events is still in progress; thus, History becomes an Idea that guides practical comportment, in both how we engage each other as moral agents, and how we narrate history. The latter aspect allows one to hope for a better future in which the meaninglessness of past events is redeemed.

Within this basic framework, we can draw out some tensions and ambiguities, which will partially constitute an interpretive context; we can understand Benjamin as responding to the issues raised here.

Disclosing the Past: Mythology, Redemption and the Ground of Happiness

We have noted that, in Kant's system, there is a relation between morality on the one hand, and history (and politics) on the other. Law-governed, teleological Nature – the condition of the possibility of a meaningful History, as opposed to a mere past – is precisely what renders moral action in the public sphere problematic and indiscernible. At root, it seems, the two are incompatible. Of course, one might not think this to be hugely problematic (after all, in Hegel's Philosophy of Right, civil society and political order supersede the autonomy of moral subjectivity, though for different reasons). But, I think, for Kant this relation marks a point of greater tension which can be located in his claim that the philosophy of history, in effect, rests upon the "justification of Nature – or, better, of Providence"[29].

First, the ambiguity between History and Nature in Kant's account causes History to fall into *myth*, that is, results in regarding the alienated expressions of human freedom as the result of some sort of foreign causality. The issue can be put as follows; meaningful narrative history, while grounded on the lawfully regulated nature that seems a barrier to moral action, is ultimately supposed to be reconciled with our moral endeavours in and through the development of a political order. But the legitimacy of this order is grounded in *Nature*, which exceeds human knowledge while nevertheless "secretly" directing human action. Moral agency is taken to be grounded in the autonomy of the rational subject, yet the legitimacy of the political order which is supposed to be the condition of the possibility of realizing the highest good on Earth is traced to inhuman, alien causes. For example, Fackenheim notes that, ultimately, the freedom expressed in history would be a "freedom of discipline" as "cultural freedom" reaches its *telos* in completely severing itself from Nature:

> Cultural freedom is the freedom to transform nature; but the freedom of discipline consists in the emancipation from nature. History is a process that begins with cultural freedom and in the ideal future ends with the freedom of discipline. It

[29] Ibid.

> begins with man's partial and ends with his total transcendence of nature.[30]

But, as we saw, Kant ultimately assimilates history to Nature, and thus this "discipline" is not the result of autonomous agency, but the dictate of an alien force; the "total transcendence of nature" becomes the total domination of humanity. In this way, legitimacy becomes grounded in non-human forces, and the autonomy that constituted the pride of the Enlightenment is effaced. In short, historical human existence – the very *meaning* of history – becomes mythical. This myth functions as a sort of secularized foundational myth. Rather than having Aeneas found the Roman Empire, the perfect international legal order will be founded by the immanent workings of Nature/Providence.

Kant clearly recognizes that the course of events that constitute human history must appear, at first glance, not dissimilar to a pile of wreckage, like that which confronts Benjamin's angel of history in Thesis IX:

> … For what is the good of esteeming the majesty and wisdom of Creation in the realm of brute nature and of recommending that we contemplate it, if that part of the great stage of supreme wisdom which contains the purpose of all the others – the history of mankind – must remain an unceasing reproach to it? If we are forced to turn our eyes from it in disgust, doubting that we can ever find a perfectly rational purpose in it and hoping for that only in another world?[31]

This is precisely why it is so important for him to view history teleologically, even if doing so requires situating the realization of the *summum bonum* as an historical task, and subordinating autonomy to nature. These are the prerequisites of bestowing "value" or meaning on the "mere facts" of history[32].

However, if Fackenheim's diagnosis of the cause of the failure of Kant's philosophy of history, namely, that he recognized the course of history as "the death-

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[30] "Kant's Concept of History," p. 47.
[31] Ibid.
[32] Cf. "Kant's Concept of History," especially pp. 42ff.

march of freedom,"[33] is correct, it is perhaps this very recognition that would lead him to such a desperate attempt at justification; the apparent radical absence of meaning would motivate one to find a higher purpose wherever possible. And Kant, to his great credit, places his hope for the justification of suffering in *this* world; in effect, Kant's philosophy of history transposes the divine into the profane. Unfortunately, as mentioned, this results in the fall from history to myth, insofar as human activity is interpreted as the result of alien, inhuman forces. But, at least in Kant's formulation, there is another ambiguity – a counter-ambiguity, one might say – between Nature and Providence that prevents myth from becoming total. The *summum bonum* becomes an historical destiny, as opposed to a task strictly speaking, in the sense that human beings as a species naturally move towards the worldly conditions of perfect moral virtue: the just legal order, perpetual peace, etc. The ambiguity concerns the role of *happiness* in the *summum bonum*.

In his essay, Kant notes "Nature has willed that man… should partake of no other happiness or perfection than that which he himself, independently of instinct, has created by his own reason"[34]. And yet, as we noted, the very Antinomy of Practical Reason lies in the fact that man cannot simply produce his own happiness: the *worthiness* of it, perhaps, but certainly nothing more. But it now seems that the Antinomy is reproduced as a sort of schism between the historical and the providential. Insofar as the *summum bonum* becomes an historical destiny, it would seem that human happiness must be contained in this historical state, even though it cannot be. Again, the mythic element of the Kantian philosophy appears as the subordination to a Fate without happiness, insofar as happiness is our responsibility, and yet as the object of an historical task is never completely realizable. Happiness thus remains, by Kant's own reasoning, the hope of a transcendent faith[35].

And – while Kant does not dwell on this himself – it seems to me that this gap between Nature and Providence is where the mythical is ruptured. How so? Whereas Nature as an alien lawful order directs humanity towards its goal in a realized legal order, human beings may constantly call any such order into question with reference

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[33] p. 49.

[34] Kant, *Selections*, p. 417.

[35] Cf. §§84-87 of the *Critique of Judgment*.

to their happiness; no system can make a claim to being the immanent *eschaton*, the End of History, insofar as the actualization or fulfillment of human happiness is always referred to a transcendent beyond. In other words, the natural-historical legitimacy of any particular state (or State) cannot be guaranteed, as a result of human directedness towards transcendence. For Kant, ultimately, a theological dimension prevents history from becoming fully mythic. That is, human history is not interpreted entirely as an alien, inhuman process, insofar as such an interpretation runs into its limits in transcendent claims to happiness. Which is to say, there may also be a theological dwarf hiding in the machinery of *his* philosophy of history. Importantly, though, the theological dimension is *not* a secularized messianism or an implicit soteriology. Rather, it serves to infinitely defer the presence of the Messiah, *parousia*, the End of History. Insofar as happiness is never guaranteed, the meaning of history is always a gamble, a wager, and a matter of faith. I do not mean to suggest here that the theological dimension of Benjamin's philosophy of history is identical to, or performs the same function as, that of Kant. But we can perhaps take the presence of this theme in Kant's essay as further evidence that Benjamin was indeed responding to Kant.

So, as Benjamin is distinguishing himself by presenting a concept of history – that is, attempting to render history meaningful and determinate *within* experience – as opposed to a Kantian Idea, then we may assume that he is working within the same problematic: if history is to be different than Nature – a peculiarly *human* mode of being in the world – then we ought to be able to discern its meaning, while at the same time we are (or at least seem) unable to do so. Neither Kant nor Benjamin goes into detail regarding the nature of concepts or Ideas with respect to history. The important distinction, for our purposes, will be between rendering history meaningful *within* human experience, as a meaningful context of human agency, and grounding the significance of history *beyond* human experience and agency. Furthermore, this problem cannot be solved with reference to something like "natural laws" of History, insofar as this would remove the ethical dimension from history, which Kant takes to be the only source of meaning history can have. The problem, with respect to Kant, is that he understands the ethical dimension of human existence precisely to call for such a history, which therefore undermines

itself; the narration of history as a "natural progression," thus effacing its ethical (or distinctively human) dimension, is a myth.

Benjamin, who had engaged with Georges Sorel at length in the "Critique of Violence", would have been aware of the polemical aspect of myth; Sorel understood "philosophy of history," precisely, as a *social myth* that could be used to direct social practice, in much the same way that Kant conceived of an *Idea* of history to regulate human action. We can see that for Kant as well, as long as his cosmopolitan history was only an Idea, intended specifically to further its own realization, it remained, in a sense, an ideological tool.

For Sorel, however, these myths remain ungrounded and are exhausted in their ideological legitimating function and their revolutionary motivational force; ultimately, the class struggle is not to be superseded in the classless society, but is rather the instrument of virility in an essentially violently antagonistic struggle against "decadence"[36]. In terms of setting out an interpretive context, we can understand Benjamin as being particularly cautious of the mythical element of Kant's philosophy of history to the extent that it performs an ideological legitimating function with regard to the legal order.

Of course, Benjamin will not accept that philosophy of history exhausts itself as myth. To do so would be to efface the ethical dimension of history that renders it problematic in the first place. If grappling with history philosophically were nothing but a polemical, tactical move, we would not have the problem of attempting to find some meaning in it; history would necessarily appear, precisely, as the catastrophe that it does. This is only a problem given the (necessary) task of making sense of our irreducibly ethical experiences.

At this point I believe a particular interpretation is justified. In presenting a concept, rather than an Idea, of history, Benjamin's goal is demythologize history. History must not be conceived as a course of events directed by an alien force (whether Nature or the cunning of Reason); if there is a legitimate concept of history, it must be applied in experience. Therefore, history – or "the historical" – must be *given* to human beings in some non-alienated way. This is unsurprising, given

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[36] Cf. Horowitz, *Radicalism and the Revolt Against Reason*, pp. 90-127.

Benjamin's (however unorthodox) Marxism. For Marx, famously, history is made by men, and the becoming-transparent of this process signals the closure of the historical dialectic, the revolutionary transformation into the classless society. We can assume that, in Benjamin, genuinely grasping the historical is supposed to have similarly emancipatory consequences.

Indeed, from emphasizing and explicating the importance of Benjamin's title, we can draw out the question of the givenness of history. Kant, in formulating an Idea that would serve to order and make sense of history, assumes quite naturally that, for us, history is a narrative. There is a difference in category – an ontological difference – between the past and history, between the *res gestae* and the *historia rerum gestarum*. The mass of past events is simply a different type of "thing" than its recounting in a history. The Idea for a Universal History serves as an organizing principle in narrating these past events, and explaining them teleologically. Because, for Kant, history must in principle remain incomplete (due to the impossibility of guaranteeing happiness), historical narratives are all we have; there is no possibility of reducing the meaning of history to its truth, in a concept. So, with regard to Benjamin, a question arises: what are the conditions of the possibility of articulating a genuine *concept* of history, that is, of presenting history as determinate and meaningful *within* experience?

Immediately following his imagistic presentation of the relationship between historical materialism and theology, Benjamin articulates the relation of happiness to redemption and, through this relation, that between the past and present. Citing Hermann Lotze, he notes that human happiness is temporally indexed:

> … [T]he image of happiness we cherish is thoroughly colored by the time to which the course of our own existence has assigned us. There is happiness – such as could arouse envy in us – only in the air we have breathed, among people we could have talked to, women who could have given themselves to us.[37]

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[37] Thesis II.

Whatever happiness might be – and for the moment we can use the term without determining its specific content – it is something that is related to individuals specifically in terms of their "historical specificity" (for want of a better term). The elements of happiness (e.g. air, people, etc.) are not abstract, such that any instance of air or any particular person could make us happy. In contrast, Kant, in the same passage where he notes that Nature has made happiness the (impossible) task of humanity, adds:

> It remains strange that the earlier generations appear to carry through their toilsome labor only for the sake of the later, to prepare for them a foundation on which the later generations could erect the higher edifice which Nature's goal, and yet that only the latest of the generations should have the good fortune to inhabit the building on which a long line of their ancestors had (unintentionally) labored without being permitted to partake of the fortune they had prepared.[38]

For Kant, however, this is a necessary element of his teleological history. Happiness appears to be the condition of the impossibility of historical closure, that is, of the fullness of meaning in history; while the lack of happiness within history is what demands a redemptive narrative, it is also this impossibility that opens up the theological dimension unsettling any such narrative.

Discussing happiness in this way, though, seems to overdetermine the problematic of history. How does happiness fit into the characterization given above? To recapitulate, the problem is this: in the light of ethical experience, we are given to understand that we are free, and that our moral actions are the spontaneous result of the will. However, when these actions become public – or ethical – they seem to be mere mechanism, subject to the laws of nature, and thus our moral agency is effaced. The teleological Idea of history, then, is supposed to reconcile these natural laws with ethical life. But this, as we saw, is how (the philosophy of) history becomes mythical. And what prevents the totalization of the myth is the theological dimension – the fact that the task of history is impossible – which is

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[38] p. 417.

opened up by the lack of happiness. The highest good is both moral virtue and the accompanying earned happiness. The possibility of becoming worthy of happiness is restricted, for Kant, to those blessed enough to live in the perfect moral-legal order, but the claim to perfection of any such order is undermined by the lack of happiness accompanying moral virtue.

So, the problem of history is not overdetermined, although we can reformulate it. The original Antinomy of Practical Reason concerns the possibility of the highest good, and is solved through theological postulates that make the attainment of (earned) happiness a possibility in the hereafter. But the possibility of being worthy of this happiness is put into question when moral action becomes public and subjected to the laws of nature. Kant's reduction of history to nature (and, hence, to myth) is supposed to recapture this possibility within history. Nevertheless, the claim to happiness or, rather, the *demand* for happiness that opens up the theological dimension arches over this myth in order to unsettle it. As we can see, the demand for happiness, as an aspect of the *summum bonum*, is the originary condition of the (im)possibility of history. In fact, we can see that the *summum bonum* as the goal of human moral activity disclosed to us in ethical experience results in an aporia specific to the Kantian philosophy of history. On the one hand, the demand for happiness is unconditioned and thus directed at something like God, or transcendence. On the other hand, the worthiness of happiness – the *legitimacy* of happiness – should be a worldly task; history is precisely the development of the conditions of moral virtue. The demand for happiness undermines the legitimacy of the latter, while the subordination of autonomy to nature (which is the condition of the possibility of the latter) tends to reduce to history to myth, occluding the theological dimension (or the dimension of transcendence). We could perhaps go so far as to say that Kant would like to make the *summum bonum* an historical task, but in fact, as a goal disclosed to us in our ethical experience, it sets up an opposition between Nature and transcendence (perhaps an authentically human history would exist somewhere in the cleavage, or in the tension, between them).

What has this to do with Benjamin? As we mentioned, for Benjamin, happiness is temporally indexed. But this temporal indexing has a surprising significance: "In other words, the idea of happiness is indissolubly bound up with the idea of

redemption"[39]. This is even more unexpected given the quotation from Lotze: "It is one of the most noteworthy peculiarities of the human heart… that so much selfishness in individuals coexists with the general lack of envy which every present day feels toward its future". Taken together, these statements seriously complicate the conceptual relations between happiness, redemption, and time; in light of the preceding discussion, as we work through these relations, we should be able to see how Benjamin adopts, reformulates, or transfigures the Kantian problematic of history.

Lotze's statement does indeed suggest that happiness is temporally specific; we do not envy future generations because *we*, who exist *now*, could not possibly be happy *then*[40]. Given the context, it seems intuitive to interpret Benjamin as equating "redemption" with something like the "bestowing of happiness". But if happiness is particular to the temporal situation in which we find ourselves, then it would seem that only action in the present can possibly be redemptive; that is, the claim to redemption is not to be honored in the hereafter, but could only *possibly* be achieved in the present instant. Benjamin goes on to say that "The same applies to the idea of the past, which is the concern of history. The past carries with it a secret index by which it is referred to redemption". But this "same" is ambiguous. Does Benjamin mean that the past is temporally specific – an uncontroversial, almost trivial, truth – and that, as with happiness, this indexing refers it to redemption? Or does he mean simply to state that the past is similar to happiness, at least insofar as they are both essentially related to redemption? He immediately continues:

> Doesn't a breath of the air that pervaded earlier days caress us as well? In the voices we hear, isn't there an echo of now silent ones? Don't the women we court have sisters they no longer recognize?[41]

We can compare this, again, with Kant. On Kant's view, it seems that the generations of the past toil (unintentionally) for the sake of the future, and that the

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[39] Thesis II.

[40] Granted, this claim does entail some major "metaphysical commitments" regarding personal identity and so forth; we must assume that we are talking about substantial individuals, who exist essentially related at a specific time as well, etc. We will simply assume all this is the case.

[41] Ibid.

redemption of this toil (which, as we saw, will never come) could only be achieved in the establishment of a final moral-legal order. This moral-legal order would establish the conditions of *worthiness* of happiness, which is to say, its legitimacy, while is itself legitimated by the unknown edicts of Nature. Ultimately, the final moral-legal order is heteronomous. Although Kant's entire moral philosophy is based on the principle of autonomy – and hence the realization of the moral law in the world, as an unconditioned supersensible principle, alone can be the final purpose of creation[42] – when he tries to reconcile this with the lawfulness of nature, it seems to slip away. As we discovered, though, Kant's philosophy of history is constantly unsettled by the claim to happiness contained in the *summum bonum* as a moral task; this claim – which Kant admits can never be the purpose of history, insofar as it is subjective and only valid in harmony with the moral law[43] – becomes primary for Benjamin. It is not a matter of wondering at the selfless activities of past generations, awaiting redemption at some point in the distance, but of recognizing that the present is dependent upon the past. To live in a present is to be indebted to the past. So, how then ought we to conceive the relation between past and present? It can be articulated as a kind of modal relation, that is, a relation between possibility and actuality. Happiness, for Benjamin, involves the actualization of factual possibilities, that is, it involves the realization of various possibilities specific to a temporal situation. But these possibilities – the conditions of happiness – are grounded in a prior actuality, that is, are grounded in the past. Benjamin points out that happiness *qua* temporal condition carries the trace, so to speak, of the past. The conditions that could create *present* happiness refer us back to a *past* that cannot be recaptured: it is only an echo that reaches us of past voices, and the women we court have sisters that *cannot* be recognized.

Benjamin is here attempting to describe historical consciousness, to give a sort of description of our epistemic access to the past. The past as "the concern of history" appears as the ground of the present considered as a situation of potential happiness, thus suggesting that the broader context of concern for the historian – the context of "history" – is precisely the possibility of present happiness. Importantly, however, it

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[42] Cf. *Critique of Judgment*, §84, n. 30.
[43] Ibid.

is not first and foremost a matter of putting historical narratives together by working with "historical sources". As the concern of history, the past must first somehow manifest itself in the present. Of course, the past *qua* past cannot be made present, but it must leave traces in the present; if not, historical consciousness would be impossible, the present would be absolute, and redemption would be meaningless. Here I do not simply mean the fact that past events are causally related to present events. More primordially, the past must be somehow disclosed *prior* to being considered as a cause; the past must be given to us as something both irreducible and effective in order to be considered as a cause, and yet it cannot be present. And the past as such is disclosed to us along with the possibility of present happiness. This is the "secret index by which it is referred to redemption".

With regard to the effects of the past in the present, one might draw a distinction between *historicity*, understood as that dimension of human being radically situated in an historical context that might prevent epistemic access to "timeless" or "metaphysical" truths (though perhaps is the condition of attaining anything like "truth" at all), and *temporality*, understood as the more innocuous aspect of human beings as existing through time. Of course, this distinction is itself controversial; Heidegger radicalizes, and grounds historicity in, temporality, and Gadamer, for example, equates "absolute historicity" with (Heideggerean) temporality[44]. Benjamin never uses the term "historicity", as far as I know, except in a single, undeveloped fragment from the *Arcades Project* disparaging Heidegger, and rarely – if at all – uses the term "temporality"[45]. We cannot delve further into this issue beyond noting that, in eschewing the language of "historicity" in its Heideggerean sense, Benjamin is tacitly suggesting that the effective reality of the past in the present is not grounded in the existential constitution of *Dasein*. Rather, the implication is that the effective reality of the past somehow imposes on the subject, affects it, independently of or even opposed to the subject's self-constituting activity. It is not mere facticity that needs to be appropriated to authentically carry out our projects; the claim of the past cannot necessarily *be* appropriated, and – as shall be discussed later – it is precisely

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[44] "Hermeneutics and Historicity," p. 536.
[45] *Arcades Project*, p. 462 ([N3,1])

the task of Benjamin's version of historical materialism to "hold fast" to this claim, to recognize it and respond to it.

So we have established that for Benjamin, the past is disclosed originally to us in the possibility of happiness, which links both the past and happiness to the idea of redemption[46]. How so? According to Benjamin:

> If so, [i.e. if the past is co-disclosed with the possibility of happiness], then there is a secret agreement between past generations and the present one. Then our coming was expected on earth. Then, like every generation that preceded us, we have been endowed with a *weak* messianic power, a power on which the past has a claim. Such a claim cannot be settled cheaply. The historical materialist is aware of this.[47]

Benjamin is here describing the relation of past and present using intentional language. Insofar as the present is the future of the past, it stands in a relation to the past; the present "was to come," or "was expected". And, insofar as the past is the ground of the possibility of present happiness, the present is indebted to it, that is, has "a secret agreement" or "contract" with the past. Although Benjamin has not yet detailed for us any substantive conception of "messianic power," it is clear that this particular relation with the past – a messianic relation, to the extent that, like the Messiah, the present is a future that was expected – has a transcendental significance. Messianic power is the power to redeem, and it is only *because* the past puts a claim on us that we are in a position to redeem it. Only within this relation could present action possibly, and legitimately, be redemptive. Conversely, only within this relation does present action have the task of redeeming. Whatever further content messianic power might have, it is the very possibility of redemption, and this possibility is grounded in the claim of the past. What remains to be seen is to what, exactly, this agreement binds the present, such that it cannot be settled cheaply.

Bracketing the issues of how and to what the disclosure of the past obliges us, which I hope will become clearer as we proceed through the subsequent sections,

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[46] This should not be taken to imply that necessarily *all* present action is directed towards happiness. It simply means that the past is disclosed in this manner in the appropriation of the possibility of present happiness (which is, of course, contingent).

[47] Thesis II.

what defines Benjamin's messianism and, implicitly, the claim to redemption to which the Messiah responds? For Agamben, Benjamin's stressing of the qualification – *weak* – indicates that Benjamin's messianism is here modeled after that of St. Paul. And Paul's writings may well have influenced Benjamin to some degree. But Agamben completely obscures the decisive difference between Paul and Benjamin, namely, their difference regarding the status of the Messiah, or the messianic.

For Agamben, Paul is the Apostle of "messianic time," conceived of as the "time of the end," as opposed to the "end of time"; as he puts it, "the time it takes for time to end," the "time that remains between time and its end"[48]. As a "messianic," Paul is sharply distinguished in this function from "the prophet" and, most importantly, from "the apocalyptic". He is not an eschatological thinker, for Agamben. But Paul's message *cannot* be that of Benjamin. Whatever messianic power might look like in "the time of the end," such a characterization is only possible because for Paul, the messianic event *has already occurred*. He has been set apart (*aphorismenos*) by the messianic call (*klesia*) of Jesus Christ, whose resurrection is the ultimate Event. In his faith, Paul can legitimately occupy the time of the end, insofar as it is the time between the Messianic event and the end of time, essentially a time of transition. Whether or not Agamben is correct in situating Paul in a context prior to a strict distinction between Jew and Christian, for Benjamin "messianic time" simply cannot take on this form.

For Benjamin, the messianic event has not occurred. In this sense, he *is* an apocalyptic, to the extent that Gershom Scholem characterizes the Messianic Idea in Judaism as containing essentially apocalyptic elements. According to Scholem, Jewish Messianism is characterized, historically, by at least three features salient to our discussion: apocalypticism, the incalculability of the Messianic event, and – in the more "learned exegeses" – the exceptional, post- or supra-historical nature of the post-Messianic utopia[49]. It is legitimate to characterize Benjamin, then, as a "Jewish" Messianic, insofar as the messianic event is still "to come". Benjamin does not exist between the Messiah and the End; *pace* Agamben, Benjamin's messianism is formally Jewish. While I think this is an obvious enough point, I respect Agamben's

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[48] *The Time That Remains*, p. 62.
[49] "Towards an Understanding of the Messianic Idea in Judaism," pp. 4-9.

counterintuitive reading enough to provide several points against reading Benjamin's messianism as Pauline. These points will also shed some light on Benjamin's own position.

First of all, the weak messianic power bestowed upon the present generation has its source *not* in a singular Event (e.g. the Resurrection of Jesus, the October Revolution, the advent of "science" in Marx and Engels, the Nazi-Soviet Non-Aggression Pact, etc.) but in an agreement with the past *as such*; we might even say with the fact of the past, the "that there is a past". This "agreement" of which Benjamin speaks is a characterization of the relation of past and present, of *what it means* to be (a) present in relation to a (or the) past. That is, whatever "messianic power" happens to be, it is a feature of the present in virtue of a peculiarly "messianic" relation of the past to the present. This leads to the second point. Benjamin says that the power bestowed upon the present has been bestowed upon *each and every preceding generation*. Again, clearly, there is no singular event in relation to which the present can be conceived of as "messianic time"; the Messiah has not arrived. Rather, it is something like, if I may use this paradoxical formulation, a structural feature of temporality. Simply being a present in relation to a past means possessing weak messianic power. The third point concerns the character of this relation. It is, importantly, a relation of expectation and fulfillment. That is to say, it is a genuinely messianic relation, in the sense that the present fills a messianic position in relation to the past: "our coming was expected on earth". The implication seems to be that the Messiah, as the singular event marking the "end" of history, is something latent in every present, and yet has always been still "to come". More strongly, it places the present generation into the role of a potential "redeemer," a role that, for Paul, was fulfilled with the advent of Christ.

Benjamin's working notes for the Theses can elucidate this point:

> The historical materialist who investigates the structure of history performs, in his way, a sort of spectrum analysis. Just as a physicist determines the presence of ultraviolet light in the solar spectrum, so the historical materialist determines the presence of a messianic force in history. Whoever wishes to

> know what the situation of a "redeemed humanity" might actually be, what conditions are required for the development of such a situation, and when this development can be expected to occur, poses questions to which there are no answers. He might just as well seek to know the color of ultraviolet rays.[50]

Clearly, Benjamin's position contrasts with the classical view that historical materialism can predict an "objectively necessary" Socialist revolution, or even the weaker claim that historical materialism can discern the *conditions* for such a revolution. As articulated here, the Messianic event (the "redemption of humanity") seems to play the part of Socialist revolution. But it has clearly not arrived *yet*; furthermore, Benjamin's messianism seems to have another "formally Judaic" characteristic. In agreement with Scholem, it seems that for Benjamin the Messianic event is strictly incalculable in its arrival.

And, of course, if the Messianic event is strictly incalculable, it must be a possibility *at any given instant*. If it were not, then it would be possible to calculate, negatively, a range of times at which such an event is possible, by discerning those instants that it is not. This is something Benjamin stresses throughout the Theses. In addition to the above statement, in Thesis B, there is the statement: "For every second of time was the small gateway in time through which the Messiah might enter". And, moreover, in Thesis II – the current focus of our attention – Benjamin notes that the Messianic power bestowed on his (or our) generation is not special; it is simply an instance of a power bestowed upon *every* generation.

But we cannot rest satisfied with the bare assertion that this is the case; the ever-present possibility of redemption must be grounded somehow (even if only "abysmally"). We noted that Benjamin links redemption to the possibility of happiness in the present, in which the past is disclosed. That is, it is part of the structure of the present to have the past disclosed to it (and within it) without thereby having that past reduced to presence. This is (at least part of) what it means for human beings to be historical, for Benjamin. Furthermore, the past is disclosed as

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[50] *Selected Writings*, vol. 4, p. 402. Hereafter, references to the *Selected Writings* will follow standard practice. For example, *Selected Writings*, vol. 3, p. 100 would be given as *SW* 3:100.

the *ground* of the present possibilities for happiness. But this ground is never itself made present as such; whatever the past may have been, it is done and gone. And this "vanishing" of the past is in itself an invariant. In a section of his notes where Benjamin himself attempts to work through the relation of the disclosure of the past and its redemption, he remarks: "To grasp the eternity of historical events is really to appreciate the eternity of their transience"[51]. The structure of history is determined in this way: the past as such is transient, vanishing, and yet discloses itself in the possibilities of present happiness. But what is disclosed therein is precisely the past in its vanishing. The past is a vanishing ground; whatever might have been the case, that might have made the present what it is, it is no longer. The past as invariantly vanishing ground makes the Messianic event possible at any instant.

Of course, the possibility of a Messianic event at any instance does not suffice to clarify the nature of "redemption," or the role that it plays in Benjamin's conceptualization of history. Several questions remain unanswered. First, in what does redemption consist? And second, whence the claim to redemption that might legitimate a Messianic event? What is the nature of the agreement that bestows us with this Messianic power, upon which the past has a claim that "cannot be settled cheaply"?

We have already noted that this power is, so to speak, "formally" Messianic in the sense that the relation of past to present is one of anticipation or, better, expectation. And the relation of the present to the past is one of disclosing it as a vanishing ground of possibility. But there is more than a merely formal Messianism at work here; to be granted *messianic* power is a different case than to be merely granted power. The latter case would imply simply the ability, or the capacity, to act in some way. In deeming the "weak power" of the present "messianic," the implication is that this power is in the service of justice and emancipation on behalf of generations that have come before. Admittedly, this is quite cryptic, and concrete examples seem to be lacking. One can allude here to the notion of the Jewish Messiah, whose coming is supposed to be a public, political event that would redeem the past and render justice on their behalf.

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[51] *SW* 4:407.

Importantly, in invoking the metaphor of an "agreement" between past and present, Benjamin locates the source of the legitimacy of Messianic power – its claim to justice – in the relation between the past and present. That is, there is a claim made upon the present by *the past as such* that legitimates the Messianic event. The issue here is that one cannot be sure about justice; to claim to work for justice in the present may simply be an ideological mask for continuing in the progression of a history of oppression. However Benjamin ultimately works this out, the idea is that somehow relating present action to the past, orienting and structuring present politics around the past, is supposed to ensure its claim to justness. The past, of course, is disclosed in the context of the possibility of present happiness. But does the claim of the past exceed this possibility, this disclosure? In Kant's philosophy of history, we saw that the claim of the past to redemption – to being *worthy* of happiness, and in having it granted to those worthy of it – exceeds the legitimacy bestowed by any mythico-historical narrative, thus serving precisely to de-legitimate any particular moral-legal order. As in Kant, the possibility of happiness appears to both open the possibility of history while precluding anything like a political/juridical historical closure. So, we can conceive of Messianic redemption as the unsettling of any established juridical (i.e. moral-legal) order in the name of justice and emancipation (with respect to happiness).

In determining the nature of Messianic redemption in this way, we have also made some headway in determining the nature of the relation between past and present in which the claim to redemption is grounded. Benjamin states that "classless society [which he elsewhere refers to as "redeemed humanity"] is not the final goal of historical progress but its frequently miscarried, ultimately achieved *interruption*"[52]. I take the thrust of this statement to be that Messianic political action ruptures the continuity of an historical narrative. In order to do so, this action would have to somehow vitiate the subject of historical continuity, whatever that turns out to be, without thereby taking on that role. That is to say, the Messianic power that is bestowed upon the present with the opening of history precludes any final, even ideal, "end state" of an historical narrative. For Benjamin history cannot be an Idea

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[52] *SW* 4:402.

in the Kantian sense, insofar as he takes himself to be disallowing even an ideal/regulative endpoint, which would render the course of history meaningful. Nor can it be captured in its conceptual truth, from its endpoint, as in Hegel. Yet Benjamin nevertheless purports to offer a *concept* of history. Doing so implies that history can be given to us as something *determinate* and, perhaps, of *use*. But if it cannot be given, as the totality of past events deemed historically significant by virtue of a legitimating narrative, then how is this possible?

The Tradition of the Oppressed: Images, Normativity and the State

Benjamin is famous for emphasizing – if not fetishizing – the fragmentary. And I think it is becoming clear that this is not a mere idiosyncrasy on his part, nor the expression of a melancholy cast of mind. If history (as opposed to the "fact of the past") cannot be given as a totality, but is nevertheless given, it must therefore be given, precisely, in fragments. In "On the Concept of History," the featured form of fragment is the "image". I understand "image" to be used here in a sense similar to Ricoeur's, when he speaks of the originary historical phenomenon as "an image, an *eikon*... that offers itself as the presence of an absent thing, stamped with the seal of the anterior"[53]. That is, the image is not quite a "representation," insofar as it does not serve simply to make the past present, but is rather the mode in which the past is given, as a trace in something present. As Benjamin puts it:

> The true image of the past flits by. The past can be seized only as an image that flashes up at the moment of its recognizability, and is never seen again. "The truth will not run away from us": this statement by Gottfried Keller indicates exactly that point in historicism's image of history where the image is pierced by historical materialism. For it is an irretrievable image of the past which threatens to disappear in any present that does not recognize itself as intended in that image.[54]

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[53] *Memory, History, Forgetting*, p. xvi.
[54] Thesis V.

This is the only way that the past can be grasped, "seized," that is, given in a way that is conceptually determined, that is, not subject to further interpretation guided by an Idea. It would seem, then, that insofar as the fact of the past is given in the disclosure of present possibilities of happiness, specific instances are transmitted to us in image form, that is, not as complete and cohesive narratives, but as fragments of a past that is lost. As Benjamin says:

> What distinguishes images from the "essences" of phenomenology is their historical index. (Heidegger seeks in vain to rescue history for phenomenology abstractly through "historicity.")[55]

Benjamin is not specific about what particular form an "image" might take, and there is no reason not to assume that he uses the term to denote anything that might be taken as an "historical source"; whether literal graphic, or text, architectural ruin, etc. These, for him, are prior to any narrative that may be constructed to "string them together," and indeed prior to the constructive principle of these narratives, whether dialectical or natural, causal or poetic.

As we can see, Benjamin notes that there are epistemic restraints on the dialectical image. It is accessible only in "the moment of its recognizability". Benjamin discusses this notion in the context of an interpretation of a fragment of Schlegel's: "the historian is a prophet facing backwards"[56]. Traditionally, this statement is understood as suggesting a relatively uncontroversial historiographical principle. The historian is supposed to imagine herself in the past, and interpret the events of the past without taking into account subsequent history, or the development of the present. Benjamin does not explicitly critique this understanding, but rather suggests an alternative that "underlies the actuality of *genuine* historiography"[57]. In the absence of an argument for this position, we must assume that it is more "genuine" because it follows from, or accords with, what has thus far been demonstrated. Benjamin interprets the "prophet facing backwards," admittedly,

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[55] *Arcades Project*, p. 462 ([N3,1]). I have shied away from attempting to use the Arcades Project as a reliable textual support, as even Buck-Morss, who ventured to (re)construct it, has admitted that it does not actually exist as a work. Nevertheless, in this case – one of Benjamin's only references to the connection between his project and phenomenology – the recourse seems necessary.

[56] *SW* 4:405.

[57] Ibid. My emphasis.

less as a prophet and more as an interpreter of prophecy. Interestingly, one might think that, as concerns more or less orthodox historical materialism (for example, that of Lukács or Lenin), the historian is precisely a prophet, one who foretells and sanctions socialist revolution, by determining the presence of favorable conditions for it *in the present.* In contrast, Benjamin thinks that "the historian turns his back on his own time, and his seer's gaze is kindled by the peaks of earlier generations as they sink further and further into the past"[58]. But, in turning his back on the present, "his own time is far more distinctly present to this visionary gaze". What can we make of this paradoxical formulation?

First of all, in the very invocation of a "prophet," Benjamin is coupling our epistemic access to history with the "agreement" between the past and present. Benjamin's historian is only possible in the context of the agreement between past and present described in Thesis II, in a manner analogous to the Jewish people who were granted prophets in the context of the covenant between God and Abraham. The issue is not that one must be responding to a particularly Judaic past, but rather that whatever special insight into the significance of the image the historian may have, it is grounded in a particular (messianic) relation. The historian is concerned with a past that is disclosed in present possibilities of happiness. But in what sense, then, does the historian turn his back on the present?

> Articulating the past historically does not mean recognizing it "the way it really was." It means appropriating a memory as it flashes up in a moment of danger. Historical materialism wishes to hold fast that image of the past which unexpectedly appears to the historical subject in a moment of danger.[59]

For Benjamin, we grasp the past as it "flashes up in a moment of danger". So, for Benjamin, to turn one's back on the present is to interpret the past in the light of a present crisis. But in what sense is this "turning one's back"? The answer becomes clearer when we understand the nature of this danger:

> The danger threatens both the content of the tradition and those who inherit it. For both, it is one and the same thing:

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[58] Ibid.
[59] Thesis VI.

> the danger of becoming a tool of the ruling classes. Every age must strive anew to wrest tradition away from the conformism that is threatening to overpower it. The Messiah comes not only as the redeemer; he comes as the victor over the Antichrist. The only historian capable of fanning the spark of hope in the past is the one who is firmly convinced that *even the dead* will not be safe from the enemy if he is victorious. And this enemy has never ceased to be victorious.[60]

The danger is a danger of *tradition*. But what does it mean to say that a tradition is endangered? What does it mean, in this context, to speak of tradition?

Prima facie, the concept of tradition seems simultaneously to apply to a content (a body of stories, or of received knowledge, dogma, "morals," etc.), as well as to a form (Jewish Talmud and *haggadah*, German fairy tales, Christian allegories and morality plays, etc.). But Benjamin complicates such a form/content distinction. Let us investigate this complication by way of the example of storytelling. It is, I think, uncontroversial to take storytelling as a "form" of tradition. But what is "traditional" about it? Is it a matter of the subject of the stories told? It does not seem so. Then is it a matter of the specific form (or, perhaps, genre) of the story told? Insofar as we are considering "storytelling" in general as a form of tradition, this does not seem to be the case either. So, then, what is the ground of tradition?

Benjamin implicitly addresses this question in the opening section of his essay on Nikolai Leskov. "The Storyteller" begins with the claim that the "art of storytelling is coming to an end"[61]. According to Benjamin, storytelling is decaying because "it is as if a capability that seemed inalienable to us, the securest among our possessions, has been taken from us: the ability to share experiences"[62]. What we should keep in mind, here, is that Benjamin is not saying that we will be short of stories. There are always stories. It is, rather, story*telling*, the communication of stories, that suffers in the absence of communicable experience. So, we can perhaps tentatively suggest

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[60] Ibid.
[61] *SW* 3:143.
[62] Ibid.

that, for Benjamin, tradition is not simply a matter of a form and a content; rather, the more essential ground of tradition is its very *communicability*.

This is further suggested in Benjamin's diagnosis of the situation, which locates the (or at least, one very important) reason for this lack of communicable experience in the fact that, as he says, "experience has fallen in value". By this, Benjamin means that the *authority* of experience has been eroded[63]. His characteristically eloquent formulation merits quoting in full:

> For never has experience been more thoroughly belied than strategic experience was belied by tactical warfare, economic experience by inflation, bodily experience by mechanical warfare, moral experience by those in power. A generation that had gone to school on horse-drawn streetcars now stood under the open sky in a landscape where nothing remained unchanged but the clouds and, beneath those clouds, in a force field of destructive torrents and explosions, the tiny, fragile human body.[64]

The context of this quotation is a discussion of how those who returned from the Great War returned lacking communicable experience. But in what sense was the authority of this experience eroded? For Benjamin, here, "experience" seems to function as an ideology. That is, the variety of "experiences" (strategic, moral, economic) that serve to structure and make sense of day-to-day life are shattered in the face of a cold, inhuman reality. The tiny, fragile human body is stripped of its illusions regarding "how things are" and left trembling amidst the destruction of war. Specifically, the idea that a human life is a fundamentally coherent whole, that it is the kind of thing that *can* be narrated essentially, is called into question. Experience in this sense comes up against its limits in tactical, mechanized warfare, in economic inflation and political domination. In coming up against its limits, the authority of experience (or a context of meaning, *doxa*, common sense) is "belied," or shown to

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[63] Ibid. Cf. Agamben's "Infancy and History". While I disagree with Agamben about many things, he is nevertheless perhaps the preeminent successor of Benjamin in terms of both scholarly work and dominant philosophical themes and concerns. I take his claim in this essay – that authority is the correlate of experience – as support for my claim here.

[64] *SW* 3:144.

be merely a comforting fable, a *mythos*. At best, experience is shown to be partial and fragmented, exposed to its limits.

This, admittedly, might be a controversial reading of "experience" to draw from "The Storyteller," which could easily read as melancholic Benjamin, implicitly critiquing a "modernity" in which communicable experience is lost. I would like to qualify it by noting that I am not claiming to explicate "experience" as the term is used throughout Benjamin's corpus, but only in this particular context. In this context, nevertheless, Benjamin himself rejects the idea that the death of storytelling is a "symptom of decay," and especially the idea that it is a "modern symptom":

> It is, rather, only a concomitant of the secular productive forces of history – a symptom that has quite gradually removed narrative from the realm of living speech and at the same time is making it possible to find a new beauty in what is vanishing.[65]

The "secular productive forces of history" here may or may not be, for Benjamin, the forces and relations of production, as they are for Marx. But they seem to perform, in one respect, a similar function, namely, melting all that is solid into air, profaning all that is holy, and compelling man at last to face with sober sense his real conditions of living and his relations with his kind. This insight is the "beauty" that Benjamin finds in the vanishing of communicable experience, and which he does not mention again in his discussion of Leskov.

So, the authority of experience – its "value" – has been eroded. How does this bear upon the communicability of experience? Storytelling, or the communication of experience, possesses a *normative* element. Traditions are not merely descriptions of the past, of course, but have normative force. Benjamin notes that genuine stories have, as an essential element, a practical purpose, whether a moral, pragmatic advice, or a proverb or maxim. And this normative aspect – "counsel" – can no longer be provided. Benjamin understands this counsel to be, precisely, advice for "the continuation of a story which is in the process of unfolding"[66], that is, a proposal to incorporated into the life of the listener. But this presupposes that the life of the

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[65] *SW* 3:146.
[66] Ibid.

listener is something that can be narrated, that is, that can be constructed into a meaningful whole. For Benjamin, though, in the face of things like mechanized warfare and rampant hyperinflation, however, the tiny, fragile human body can no longer be the subject of a meaningful narrative; the force of "reality," for lack of a better term, fragments experience and tradition and reveals the insignificance of the individual human being. Benjamin terms "counsel woven into the fabric of real life" wisdom, and terms wisdom the "epic side of truth"[67]. This "epic side" no longer has force, that is, experience has been stripped of its authority, and thus can no longer be communicated. The communicability of experience lies in its essential normativity.

Storytelling *qua* tradition is the communication of experience, which is to say, the transmission of a normative context of meaning. Of course, tradition derives its authority – its normative claim about "how things are (and ought to be)" – from the past. The "Once upon a time" that begins many of our traditional tales suggests that the stories are about "how things were," but with a sense that things are similar enough now – or ought to be – that the meaning of these tales can still apply[68]. In tradition, then, the past is disclosed as a source of normativity.

Allow me to summarize what we can glean from Benjamin's analysis of the end of storytelling. In the face of present conditions, experience – taken as the ideological notion of the coherence and meaningfulness of human life – is stripped of its authority. In being so stripped, storytelling as a form of tradition becomes impossible, insofar as the counsel of tradition – its normative force – becomes inapplicable; tradition becomes incommunicable. What is revealed (in its breakdown) is the normative force of the past as such.

And it *is* the past as such that exerts this force. While traditions vary hugely, and an anthropological study of their variety is beyond the limits of my project here, it is safe to say that we use the term "tradition" to designate the transmission of an indeterminately large number of specific "pasts" that need not have any common "content" besides their authority as tradition. Indeed, this authority of (and as)

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[67] Ibid.

[68] In "On the Concept of History," of course, Benjamin will go so far as to call this "Once upon a time" a "whore". This statement, while immediately troubling, I think supports the claim I am making here about the positive aspect of the dying out of storytelling, of narration.

tradition is precisely its communicability, which we above noted was the essential ground of tradition. How so? Tradition has no ground outside itself. If it is in fact true that the "modern era" can be characterized, at least partially, by the withering of traditional forms of authority (those of the Church and the feudal system being perhaps the most obvious) and the radical questioning of traditional or "received" wisdom, it is perhaps because, when faced by the tribunal of Reason – that is, when asked "Why?" or "Whence your authority?" – these forms of tradition had no satisfactory answer. Tradition is not grounded in some truth about how things are (indeed, we saw above that, when considered as the communication of experience, it can function ideologically, that is, as precisely a mask for "how things are"). Tradition makes a claim upon subjects that could be characterized as "heteronomous," insofar as the force of this claim seems to rest on some sort of authority that resists being made "rationally" transparent,[69] that is, that is ultimately foreign to those over whom it makes a claim. And this is expected, given that we have seen that the claim of the past is not grounded in the self-constitutive activity of the subject, but rather has an element of alterity to it. Benjamin's historical materialism is an attempt to appropriate the claim of the past without thereby assimilating it to the hegemonic interests of the present ruling class.

Note that this gloss is not intended to denigrate tradition or valorize reason. The destruction of traditional forms of life may also – as in thinkers like Weber or MacIntyre – point to radical deficiencies in modern, or bureaucratic, reason. Nor do reason or tradition need, in any particular case, be radically opposed to each other. I simply wish to demonstrate that the two do not simply coincide: tradition, while by no means its antithesis, is neither *merely* the manifestation of rational practice.

Nevertheless, tradition – as we saw in the case of storytelling – can serve to legitimate our unthinking practices, that is, can function ideologically. And Benjamin

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[69] In (very) brief, it is certainly not an uncommon notion that modernity (or the Enlightenment version of it, etc.) subjects all knowledge and all being to the "tribunal of reason," and that which does not stand up to this scrutiny is thus deprived of its authority. Reason enquires or searches after, precisely, reasons or grounds. Arguably, this is the conception at the root of the Idealist tradition, wherein Reason, as subject or Spirit, in its search for grounds (of both being and knowledge) arrives only at itself, as self-grounding (and, of course, nothing but Reason and/or God are taken to be self-grounding). That which has its ground (Spinoza's *causa sive ratione* would apply here) outside itself cannot be the "truth," the "Absolute" and thus loses its authority. To approve of something in which Reason cannot recognize itself would be to forsake one's autonomy and submit to a foreign law.

does not hesitate to unmask this function. Nevertheless, he does not take a simply pejorative view of tradition. In rejecting the ideological aspect of tradition, he seeks to retain, or rescue, something important. Ultimately, in the face of Reason, tradition cannot provide the grounds that are asked of it. But traditions still constitute themselves as continuous and, in a peculiar sense, autonomous phenomena. Indeed, it is their perseverance *without further ground* that is of utmost interest. Traditions are constituted by their authority. And, in fact, this authority is the claim of the past upon the present.

Tradition – as "tra-ditio" – is a "giving over". It is the "giving over" of the past to the present; even more precisely, it is the past giving itself over to the present, exerting its authority and thus constituting itself as coherent (even if this coherence is fragile). Of course, if the coherence and authority of tradition can be challenged by Reason – or the rationalization of society/politics/etc. – it is because the claim of the past is a form of radical heteronomy. The source of the claim, of the authority of tradition, simply cannot be "made present," cannot be made to coincide with the rational agency of the subject. In Kantian terms, it is a *Faktum*, that is, an irreducible element of "experience" that is not an empirical fact (*Tatsache*), but nevertheless structures human comportment. For Kant, in ethical experience, one is faced with a *Faktum*, but this is taken to be the Fact of *Reason*; the possibility of morality, that is, our moral conscience, is grounded in the activity of Reason, which defies being "known" but demands various postulates in order to make sense of it. The "factical" aspect – the irreducible necessity of making moral decisions, and in particular the unconditional duty to achieve the highest good – must be, for Kant, the activity of Reason, in order to maintain the ideal of autonomy. It remains "factical" insofar as Reason is not fully transparent to itself, but nevertheless is rational. In looking at tradition, we see that the claim it places upon us – its factical dimension – cannot be reduced to the activity of Reason (is even, perhaps, opposed to it), though it nevertheless places a claim upon the present.

So, then, what is the danger that faces tradition, both its content and those who inherit it, those to whom it is given? Clearly, it must be a danger that threatens the claim placed upon the present by the past, an obscuring or appropriation of the heteronomous past. The heteronomous authority of tradition is revealed as such in

its breakdown; the failure of tradition to provide cohesion to human experience in the face of present discloses the facticity of the past, its irreducible claim upon us.

This point is somewhat complicated by the fact that Benjamin seems to be explicitly hostile to the unifying aspect of the normativity of the past. To Benjamin, the Great War exposed human "experience," as a coherent narrative, to its limits and its fragmentation, that is, stripped away its ideological veneer. But this is the danger facing the "content" of tradition: that of being a tool of the rulers. Tradition can be naturalized – or mythologized – to legitimate present conditions. This is great promise of Enlightenment (or, perhaps, of capitalism): to denaturalize traditional forms of authority, traditional social and political arrangements, traditional gender roles, etc. In these naturalized forms, the heteronomy of the past's claim on the present is covered over, and tradition becomes the justification for "how things are". As we saw, however, tradition comes up against its limits in facing "how things are," that is, in its inability to provide norms ("counsel") for a coherent life in the face of present conditions.

Tradition comes up against its limits in *present* conditions – economic inflation, political domination, mechanized warfare – that expose the fragility and fragmentation of the human subject; these present conditions are those same that present a danger to tradition, that is, of being tool of the rulers. So, if the effacement of the authority of tradition is not the danger, then what can it be? The appropriation of traditions by the rulers (e.g. the discourse of "Blood and Soil" in the Third Reich, which made an appeal to the traditionally, "authentically," German national character) can be seen as a serious danger as it can motivate (unthinking) citizens to appalling action. Once exposed as an ideological tool, the force of tradition can be appropriated and manipulated by those in power, over and against those – "those who inherit it," and are also in danger – who either fail to notice its breakdown or who, perhaps, are aware of the inability of tradition to structure contemporary life, to provide norms for action, but are also (and nonetheless) compelled by the irreducible heteronomy at the heart of tradition. It is this heteronomous claim, the claim of the past upon the present in the very act of *giving* itself to the present, that Benjamin wants to preserve in the face of the danger of the present.

As we saw, however, for Benjamin messianic redemption is a possibility at *every* present. So, while it may be the case that the Great War presents an instance of the breakdown of tradition – of its inability to provide narrative coherence to human existence – this breakdown must be possible in any particular situation. Besides the undeniably modern conditions of mechanized warfare and hyperinflation, Benjamin also lists "domination" as one of those conditions that serves to disrupt the narrative continuity of tradition, to frustrate its normative force. Political domination – which, I take it, Benjamin would consider an irreducible and omnipresent factor throughout the course of human existence – serves to disrupt the force of tradition, even when it masks itself with the ideology of tradition. At every instant – every "strait gate through which the messiah might enter"[70] – there is the political domination of someone, of some group (distinguished by whichever factor you like: cultural, racial, economic class, social hierarchy, etc.). Arguably, one example of the continuity of political domination (and one with which Benjamin would have been intimately familiar) is the systematic oppression of the Jewish community throughout (at least) the last 2500 years[71].

One implication – or, perhaps, a condition of the possibility – of such omnipresent political domination seems to be the essential *illegitimacy* of the State, of the dominating apparatus. What is meant by "illegitimacy" here? Consider what is perhaps the dominant discourse for discussing the legitimacy of the State, namely, social contract theory. In broad strokes, social contract theory suggests that the legitimacy of the State (or the Monarch, Leviathan, etc.) is grounded in the mutual agreement of those who decide that the rule of law, over and against their "natural" inclinations, is in their best interest; the "sacrificing" of some extension of arbitrary subjective wills is necessary to create an area of negative freedom for all. The safeguarding of this space is the supposed task of the legitimate State, and this legitimacy is the result of the rational agreement of persons in the so-called "State of Nature". It should be obvious that this conception of legitimacy is entirely mythical. A mythical situation is supplied – the pre-State state of nature – in which a founding

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[70] Thesis B

[71] Benjamin might here be close to Lyotard. Lyotard thinks of the Jews as an instance of "the jews" (*les juifs*), his (problematic) term for the structurally oppressed/occluded by a reigning discourse.

agreement takes place, which is binding in and through history. Of course, there never was a state of nature, nor a founding agreement. Furthermore, the fiction of the social contract simply could not legitimate a State into which all members are, so to speak, thrown; while perhaps a "myth" based on some sort of insight into something like a "human condition" could perhaps perform a legitimating function, Benjamin would argue that the idea of a "free" and rational agreement between members of a pre-political state of nature would mask precisely the fact that there *is* no pre-political aspect of the human condition. This is revealed most clearly in the condition of political oppression or domination. The oppressed or dominated simply *did not* agree to their situation, and no prior agreement could function as a substitute for their consent. The social contract is a myth with the ideological function of bestowing legitimacy upon the State.

A contrasting conception of the legitimacy of the State would be Hegel's. Clearly, I cannot do justice to Hegel's political philosophy and its relation to the philosophy of history (or vice versa) in this limited context. Nevertheless, I think I can make a few points that support Benjamin's implicit view. For Hegel, in submitting to the State, and the rule of law, one is not, ultimately, submitting to an alien or heteronomous entity. Insofar as the State is the rational manifestation of Spirit, externalized and realized in and through finite particular individuals, the law of the State is also the rational law of any particular subject. Hegel's political project *is*, ultimately, one of establishing human autonomy, that is, human self-legislation. But the law of the (modern) State is only such an expression if its underlying principle is the establishment of the "freedom of all". For Hegel, the ultimate legitimacy of this political principle has already been determined. However – and this is important – there is no guarantee that any particular State manifests (or, perhaps, even *can* manifest) this principle. Any State is open to the possibility of an immanent critique, of being measured up against its own immanent principle. And, I think, Benjamin would claim that there is simply no state that embodies this principle sufficiently enough that its claims upon its subjects need be considered legitimate and binding. This is not mere "subjective fault-finding," but rather concerns the presence of an objective contradiction within the State. For example, in §§241-245 of the *Elements of the Philosophy of Right*, Hegel seems to suggest that the situation of the poor is one in

which civil society (as an element of the State) withholds from the poor the means of satisfying the requirements of belonging to civil society. This would be a promising place to mount an argument against the State's legitimacy. The claim, then, would be that as long as political (or economic) domination continues within any particular State, it would be valid to charge that State with illegitimacy; the State continues to be an illegitimate and heteronomous entity, and the "people" – the "ethical substance" – are within their rights in revolting against the State.

Finally, there is the Kantian model, which seems to reside in a conceptual space between the social contract and a Hegelian philosophy of history. We have already explored the mechanics of this model. In attempting to rescue human moral self-legislation (i.e. autonomy), Kant subject humanity to the heteronomy of Nature; history is the natural evolution of man's natural capacities, the motor of which are the antagonistic social relations of human beings. The endpoint of this natural progression is supposed to be an absolutely just legal order (a constitution), presided over by a morally upright master. But Kant admits that this, while being the regulative Idea behind the writing of history, is most likely impossible; famously, human beings are such "crooked timber" that nothing "perfectly straight" can be built from them. So, the heteronomous force – Nature – that legitimates political constitutions as steps toward perfection also admits the possibility of being radically called into question. Specifically, we saw, the claim to happiness of past generations can rupture the legitimacy of any particular State.

Each of these three models attempts to demonstrate the legitimacy of the State as grounded, respectively, in the rational self-interest of human beings, in the historical realization of rational human autonomy, and in the natural-historical development of human capacities towards a morally righteous legal constitution. The first, we saw, is an utterly mythical conception; the latter two admit, by their own logic, that any particular State falls short of the immanent criteria of legitimacy. Benjamin, therefore, is not absolutely unreasonable to understand any particular State as, essentially, illegitimate. And, in fact, we determined that the meaning of Messianic redemption is, for Benjamin, precisely the unsettling of any particular legal-moral order with respect to happiness, that is, with respect to *precisely* that which is expropriated from any politically dominated group.

So, the historical human being is, for Benjamin, exposed to two heteronomous forces: those of tradition and of the State. Both of these serve to create historical continuity; we have already seen that tradition constitutes itself as coherent and narrative, serving to continuously transmit the past to the present. What about the State? For thinkers as diverse as Hegel and Eric Voegelin, States serve as the subjects of world, or political, history. One does not need to subscribe to philosophy of history of either in order to wonder *why*, exactly, they might take the State to perform such a role. The point, for both, is that it is States, as they rise, rule, and eventually fall, that are the guarantors of historical continuity, and make something like "history" meaningful. That is, if history is to be something other than the random and happenstance "course of things human," to use Kant's phrase, it must be a meaningful continuity. The finite existences of individual and particular human beings cannot serve to create such a meaningful continuity; thus, the State becomes the subject of history. Even for Kant, for whom the *human race* as such becomes the subject of history, conceives of the race as striving for its *telos* in a legal-political order (or State). The *actuality* of the subject of history is just legal order or constitution; the race, in a sense, is the potentiality for such a State.

If Benjamin seeks to rescue "tradition," in some sense, then, it must be precisely the "tradition of the oppressed" (the oppressed of the past as given over to the present) that he mentions in Thesis VIII. As we saw, messianic redemption must be a possibility at every instance. This requires that there be constant (or continuous) conditions that threaten tradition in misappropriating it to the detriment of its inheritors. The misappropriation of tradition – its transformation into ideology in the hands of the rulers – serves to benefit rulers; those who inherit the "tradition of the oppressed" are therefore those oppressed in the present. This condition is the State, the subject of historical continuity, which is also always a politically dominating heteronomous force. At every instant, the heteronomy of tradition is in opposition to the heteronomy of the State. Nevertheless, Benjamin does not want to simply champion tradition; what needs to be preserved is the normative claim that the past places on the present in opposition to the State.

As a "prophet facing backwards," then, the historical materialist locates the claim of the past placed upon the present, and in doing so becomes more aware of the

current situation; that is, she has the present disclosed as a situation of domination. But in attending to this "prophecy," the historical materialist is focused precisely on the agreement between past and present, and not on any positive content. As we saw, the past is disclosed in two ways; its irreducible facticity is disclosed in the possibility of present happiness, and in tradition the past is disclosed as a source of normativity (even if a heteronomous one). The historical materialist, then, works to integrate these two aspects. The present situation of dominance is one of *unhappiness*; the present possibility of happiness is either restricted to the rulers, or at least complicit therewith:

> The historical materialist knows what this means. Whoever has emerged victorious participates to this day in the triumphal procession in which current rulers step over those who are lying prostrate. According to traditional practice, the spoils are carried in the procession. They are called "cultural treasures," and a historical materialist views them with cautious detachment. For in every case these treasures have a lineage which he cannot contemplate without horror. They owe their existence not only to the efforts of the great geniuses who created them, but also to the anonymous toil of others who lived in the same period. There is no document of culture which is not at the same time a document of barbarism. And just as such a document is never free of barbarism, so barbarism taints the manner in which it was transmitted from one hand to another. The historical materialist therefore dissociates himself from this process of transmission as far as possible. He regards it as his task to brush history against the grain.[72]

Given this complicity – the injustice of historical continuity – the historical materialist needs to locate another manner in which the past can be given. The answer, of course, is in fragments, in dialectical images. As Benjamin characterizes

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[72] Thesis VII.

them, these dialectical images – whether they be a text, a child's toy, a photograph or a work of art – are only legible in the "now of recognizability," which is always fleeting. Within any particular political configuration, contingent particular images serve to transmit the claim of the past, its force, to the present. It is the historical materialist's task, as Benjamin defines it, to exhume this claim, that is, to "[blast] the epoch out of its "historical continuity," and thereby the life out of the epoch, and the work out of the lifework. Yet this… results in the simultaneous preservation and sublation of the lifework *in* the work, of the *epoch* in the lifework, and the course of history *in* the epoch"[73]. However one cashes out this obscure description, for Benjamin, it is to be carried out, precisely, by eliminating the "epic" element of historiography. As we saw, for Benjamin, the "epic" side means that side that would construe events – such as, in the context of storytelling, human life – as essentially continuous, coherent and meaningful.

The Experience of the Situation: Historical Materialism and *Trauerspiel*

According to Benjamin, "[h]istoricism presents the eternal image of the past – whereas historical materialism presents a *given* experience with the past – an experience that is unique. The replacement of the epic element by the constructive element proves to be the condition for this experience"[74]. By Benjamin's own account, then, historical materialism is concerned with the manner in which history is "given," or "disclosed" to the present; historical materialism uniquely provides the possibility of this experience. Clearly, Benjamin does not use the term "historical materialism" in any remotely orthodox sense. But it would appear that his project as it has been unfolding could qualify as "historical materialism" in this sense. In order to clarify this, let us attempt to survey the preceding and formulate it somewhat more systematically.

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[73] "Eduard Fuchs, Collector and Historian". *SW* 3:262. This is Benjamin's definitive – albeit obscure – statement regarding his conception of historical materialism. Cf. Theses XVI and XVII.
[74] Ibid. My emphasis.

Rather than beginning with the Kantian problematic – though it is important – we can take as our starting point not the "meaninglessness" of human activity, the "course of things human," but rather the apparent continuity and coherence of human (social) existence through time. The subject of this continuity, for Benjamin always seems to be the State. For instance, in Kant's philosophy of history, the subject of history is humankind as "naturally" determined to perfect itself in a just legal-moral order. Already, the subject of the continuity of history is alien to individual human beings, and is thus heteronomous with respect to them. This is clearly not any orthodox form of historical materialism, insofar as the continuity of history is not in this case a function of the changing arrangement of the forces of production. (Of course, alongside and occasionally internal to the State is the continuity of tradition, as the self-perpetuating transmission of the past to the present.) These dual subjects of continuity mask the discontinuity and fragmentation of human experience under conditions of political (or economic) domination, which persist throughout the continuity of the State (often exacerbated by traditional power structures, social hierarchies, etc.). These conditions serve to call the legitimacy of the State into question, and to erode the authority of experience, thus stripping tradition to its bare communicability, that is, its intrinsic normativity.

With regard to tradition, it seems to me that there are two possible situations. It may be the case that the discourse of legitimacy of the State appeals to some sort of tradition – or traditional values – such as in the National Socialist discourse of "Blood and Soil" or even contemporary discourses surrounding, for example, conservative administrations in the United States (e.g. the Reagan and Bush Administrations could be viewed as something like guardians of traditional values, etc.). Or, it may be the case where tradition exists, or operates, somewhat removed from State institutions (e.g. the Jewish tradition, or somewhat more innocuous traditions such as storytelling in general). In both cases, the experience of domination (whether it be political, economic, or otherwise) serves to strip experience of its authority, that is, to dispel the illusions that human existence is essentially meaningful or coherent. According to Benjamin, the revelation of the precarious, fragmented condition of human existence serves to negate the possibility of having substantive traditional norms applied to it. What remains of tradition,

therefore, is the sheer fact – the irreducible facticity, if you will – of its normative force. Tradition, whatever else it may be, is the transmission of the past to the present, and Benjamin will seek to ground the normative force of tradition in precisely this givenness of the past. Insofar as tradition is self-constituting, that is, becomes tradition and transmits itself precisely in virtue of its normative, cohesive force, then in a very important sense tradition is the past *giving itself* to the present. So, in the face of the dominated condition of human existence, tradition reduces to the normative force of the past giving itself to the present (which is only ideological insofar as it purports to present a meaningful context for a coherent life under the conditions of political domination).

With regard to the legitimacy of the State, the condition of political domination reveals the mythical nature of the "social contract". The folly of social contract theory is to attempt to locate or ground legitimacy in a mythic origin (agreement in the state of nature, or even behind a veil of ignorance), that is, to tell a story about foundation and, furthermore, to equate foundation with legitimacy. In the condition of political domination, this equation demonstrably fails; the suffering of a dominated or oppressed group *internal to*, and yet *excluded by*, a State shows the impossibility of such a grounding, insofar as the oppressed or dominated group have no choice in this matter, but are always already within an oppressive State. The supposed grounds of legitimacy of the State (as the situation in which the oppressed/dominated always already are) are radically inaccessible – or radically alien – to the oppressed, and as such cannot perform a genuine legitimating function. In contrast, as above, there is the Hegelian myth of the legitimacy of the State. History, as the progressive realization of Reason, serves to legitimate the State as an expression of rational principles, which are not alien to human existence, in such a manner that submission to the State is indeed a form of autonomy, that is, human (rational) self-legislation. Of course, there are two objections – one weaker and one stronger – to the legitimacy of any particular State. The first, weaker, objection (mentioned above) is that any particular State can only make claim to imperfectly or partially expressing the rational principles in which any given human individual might recognize her own reason. That is to say, the political principle of Freedom (of All) may not be adequately manifest in any given State; and the perpetual condition of

political domination is evidence that *no* State has adequately done so. This failure de-legitimates any particular State. The second, stronger, objection would be that "history" or, better, the course of things human, cannot be legitimately declared "over," and thus no definite, final meaning can be given to this process. So any narrative that would serve to legitimate a State by virtue of its expressing a determinate and final principle, meaning, etc. would be merely mythological, and not in fact do the legitimating work that it needs to do. Lastly, one could consider something like the Kantian position; the development of a perfectly just legal order is entirely determined by the development of human beings' "natural capacities," though this development is itself driven by the teleological force of Nature: a force neither conscious nor cognizable, that is, an alien force. As we saw earlier, this legal order, or State, is only legitimated with reference to the ultimate moral task of humanity: the realization of the *summum bonum*, of perfect virtue and accompanying earned happiness. The theological aspect of this goal – the demand for or claim to happiness, impossible in this world – serves to unsettle or delegitimate the claim to legitimacy of any particular State or legal-order.

So, where does Benjamin's unique brand of "historical materialism" fit in? I would argue that, in lieu of a formal definition or explication, for Benjamin "historical materialism" is defined in terms of its function(s) and "task":

> To put to work an experience with history – a history that is originary for every present – is the task of historical materialism. The latter is directed toward a consciousness of the present which explodes the continuum of history.[75]

And he does lay out (in various places but primarily in the essay on Fuchs and the "Paralipomena") the functions of historical materialism. Historical materialism is to: i) locate a revolutionary force in history, without thereby positing anything like a "revolutionary situation" or favorable "conditions" for revolution[76]; ii) provide, by replacing the epic element of historiography with a constructive element, the condition for a "given experience" with the past, that is, provide the conditions for

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[75] *SW* 3:262.
[76] *SW* 4:402-3.

the past to be "given" in a particular way[77] (namely, as a ground of possibility and source of normativity); iii) perhaps most cryptically, provide a "genuinely messianic face" to the classless society, which he also calls the secularization of "messianic time"[78]; iv) do all these with the aim of "exploding the continuum of history," that is, to liberate the "immense forces bound up in historicism's 'Once upon a time'"[79]; v) require a "theological" supplement in order to perform these tasks. And, indeed, it is the wager of this work that Benjamin's work can be reconstructed as a coherent structure performing these tasks.

Benjamin has analyzed the present situation – *any* present situation – as one in which the legitimacy of the State has been called into question. As I hope to have shown, in calling the legitimacy of the State into question, Benjamin also calls into question the continuity and coherence of "history," at least with regard to the Kantian model. On Kant's view, the apparent meaninglessness of human actions necessitates an historical narrative that legitimates the State or legal-order as the condition of moral virtue, while nevertheless sacrificing human autonomy to the alien direction of Nature. The State is the subject of the coherence and continuity of history. When the State is revealed as illegitimate and its accompanying conception of historical temporality (i.e. continuous and narrative) as mythological, the narrative (and legitimating) element – the epic moment – of history is seen to be an illusion.

At this point, then, the historical materialist recognizes that "history is the subject of a construction whose site is not homogeneous, empty time"[80]. In the absence of a proper subject of *narrative* historical time – the State being alien, illegitimate or mythological – there is what Benjamin will call "an arrest of happening"[81]. Those who the State oppresses, and thus those to whom the State becomes transparent as alien, illegitimate or mythological, are therefore somewhat at a *remove* from the State, at a distance from it, and thus are "outside" the narrative continuity guaranteed by the State as the subject of narrative history. The present, for

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[77] *SW* 3:262. To risk relating Benjamin to Heidegger, one might say that Benjamin's historical materialism discloses the past uniquely, just as the existential analytic of *Dasein* discloses *Dasein*'s Being in a unique fashion.
[78] *SW* 4:401-3.
[79] *SW* 3:262.
[80] Thesis XIV.
[81] Thesis XVII.

the oppressed, is thus "not a tradition [that is, not merely a giving over of the present to a future soon to be present], but [a time] in which time takes a stand and has come to a standstill… [T]his notion defines the very present in which [the oppressed] himself in writing history"[82]. Benjamin's essay does not provide much of an account of the relation of historiography to political action, and it is perhaps sufficient for our purposes to note that what is most significant regarding this conception of the present is that it is precisely the present in which the past becomes peculiarly accessible, that is, the past is given in a unique fashion. As Benjamin says, the condition of this unique experience is the *de*-construction of the epic element and its replacement with a constructive element, by which he means the attainment of a clear perspective on the situation or, in other words, precisely the knowledge that the oppressed class is "outside" narrative history, that it is "at a standstill".

For Benjamin, the:

> subject of historical knowledge is the struggling, oppressed class itself. Marx presents it as the last enslaved class – the avenger that completes the task of liberation in the name of generations of the downtrodden.[83]

He also states that "The history-writing subject is, properly, that part of humanity whose solidarity embraces all the oppressed"[84]. Benjamin seems to be alluding to the proletariat, which Marx defines in terms not simply of liberation or emancipation, but *redemption*, as:

> …a class which is the dissolution of all classes …which has a universal character because its sufferings are universal … which can only redeem itself in the total redemption of humanity…[85]

And, from what we have seen thus far, we can make sense of Benjamin's reluctance here. Benjamin adopts Marx's logic here – that it is fact those who are most radically oppressed, that is, excluded from the social or political (that is, the narrative-

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[82] Thesis XVI.
[83] Thesis XII.
[84] *SW* 4:404.
[85] Marx, *Contribution to a Critique of Hegel's Philosophy of Right*; cited in Richard Kearney, *Modern Movements in European Philosophy*, p. 139.

historical) totality are in fact the expression of the universal or eternal – but cannot strictly identify the oppressed with the proletariat. This is because the proletariat – while the dissolution of all classes and thus the harbinger of the end of history – is determined as both the product and endpoint of an historical narrative, and defined, in the terms of this narrative, by its relation to the means of production. According to Benjamin, the constructive principle of Marx's history is the class struggle, which determines a narrative leading to the development of the proletariat and, in and through the proletariat, the classless society. But Benjamin's explicit task is to demonstrate that the classless society *is not* the endpoint of a narrative, coherent and continuous history: a "genuinely messianic face must be restored to the concept of the classless society"[86]. So, although the language that Benjamin uses in the Theses does refer to "class," we can understand him to be speaking of the economically-oppressed class of the "proletariat" as an instance of universal humanity; given that the possibility of messianic redemption is available at *every instance*, the analysis he provides must – while remaining somewhat true to the emancipatory impulse in Marx – be applicable to *any* oppressed group. Universal humanity expresses itself in these "ahistorical" or quasi-historical groups, excluded from narrative history yet included in the State to the extent that they are oppressed.

But the situation of universal humanity – its oppression and exclusion – that gives the lie to a meaningful narrative history is, in fact, quite similar to the situation to which Kant responds with his philosophy of history: the meaningless, capricious sequence of human events. And Benjamin is not allowed Kant's response to this situation. That is, he cannot attempt to articulate an historical narrative in and through which humanity finds or achieves its redemption. While I have presented some grounds for assuming that Benjamin alludes to Kant in his title, I take the following to present another reason for doing so.

If Benjamin recognizes in Kant the diagnosis of a particular situation (that of capricious meaninglessness), his major early work – *The Origin of German Tragic Drama* – is an analysis of the response to this situation as recognized by Baroque playwrights and theologians. In her remarkable reconstruction of Benjamin's *Arcades*

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[86] *SW* 4:402-3.

Project, Susan Buck-Morss dwells on some important themes in *The Origin of German Tragic Drama*. She points out that Benjamin understands allegory, as the dominant poetic device of Baroque *Trauerspiel*, neither as chosen arbitrarily nor for merely stylistic or fashionable reasons. Rather, allegory was:

> a "form of expression," one which the objective world imposed upon the subject as a cognitive imperative… Certain experiences… were allegorical, not certain poets.[87]

But what exactly is this form of expression necessitated by the experience of the objective world? The experience of the Baroque dramatists, according to Benjamin, was one of *living* the problematic that, in Kant, found much more abstract expression: of enduring the meaninglessness of history. What exactly connects history to allegory? The Baroque allegorists took nature to be, precisely, an allegory for history.[88] Which is interesting, because Benjamin takes the Baroque period to mark a crisis in allegorical interpretation. According to Benjamin, prior to the Baroque, symbolic representation was straightforward and unproblematic. Natural objects, it was assumed, each represented a natural meaning; being and meaning "coincided," and this symbolic unity was determined by the Christian tradition. However, in the Baroque period, such symbolic unity became problematic, as it grew clear that the signification of objects was relative to a context. In pagan traditions and Greek myths, the so-called "natural meaning" of objects differed from those in the Christian tradition, and so discerning the meaning of these objects became an uncertain task. This resulted in an explosion of allegorical interpretations such that the vision of nature as a cohesively meaningful organic whole was no longer tenable. Rather, nature appeared fragmentary and transitory. As an allegory for history, then, the conclusion to be drawn is that history appeared every bit as transitory, fragmentary, and without any ultimate signification.

As Buck-Morss points out, Benjamin's major goal in the *Trauerspiel* study is "not so much to evaluate [the] Christian resolution [to this problem] as to demonstrate that in Baroque allegory… theological thinking is primary"[89]. How so? Nature as a

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[87] *Dialectics of Seeing*, p. 168.
[88] p. 174.
[89] Ibid.

whole was assumed to be an allegory for human history. The ambiguity of all "natural" meaning – the lack of divine presence that would make an object a *symbol*, identical with its signification – could only be explained as the god-forsakenness of material nature. If the *meaning* of history is thus that of Nature, then history itself is a matter of continuous catastrophe, of *ruin*, of transience, and of the decay of meaning. In Benjamin's words:

> The importance of this for the *Trauerspiel* is that, in the figure of Satan, the middle ages had bound the material and the demonic inextricably together.[90]

Satan – or Antichrist – is the meaning of material nature as a whole. Nature, which allegorically represents history, becomes Hell, an eternity of torment. But if Nature (as a whole) can be taken to be an allegory for history, it is because the *experience* of history is allegorical, that is, without fixed meaning, transient and ruined. The destruction of the Thirty Years' War, among other things, had resulted in a situation wherein the actions of human beings could not be placed in a meaningful context or narrative, and hence Nature, as a repetitive and tormenting cycle. As Samuel Weber puts it:

> History as a repetitive and ineluctable process of rise and fall is identified with the nature of a fallen creation without any discernible, representable possibility of either grace or salvation. It is the loss of an eschatological perspective that renders the baroque conception of history inauthentic and akin to a state of nature.[91]

Whence the loss of this eschatological perspective? Benjamin considers the object of *Trauerspiel*, its subject matter, to be "historical life as represented by its age"[92]. The *Trauerspiel* – which Benjamin takes great pains to distinguish, as a genre, from tragedy – is both a representation of history, and a representation of a representation of history. For the Baroque era, the symbol of history is, precisely, the

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[90] *OGT*, p. 226.
[91] "Taking Exception to Decision," p. 438.
[92] p. 435.

sovereign[93]. This should not be entirely surprising, given what we have already noted, namely, that the State is generally the subject of narrative history, and the "history-writing" subject – that is, the subject to whom history is properly disclosed – is precisely the oppressed, the excluded from the historical narrative. So, if history appears meaningless – and thus allegorically representable by Nature – it is owing to a certain experience of sovereignty: specifically, the *loss* or *absence* of sovereignty. The political circumstances of the Baroque period were in fact characterized, according to Benjamin, by a lack of genuine political sovereignty and, therefore, the absence of: binding political norms; a sense of continuity to history, and of its availability to human action; and thus a sense of meaningful political action[94].

So, let us schematize what we can glean from Benjamin's *Trauerspiel* study. There is a certain experience, which is allegorical, that is, a certain experience in which the possibility of fixing meaning – of determining norms of representation – is lost. In the Baroque period, the ground of this type of experience is the loss of meaning in history, that is, the loss of an extra-historical (or eschatological) perspective from which history could appear meaningful. Again, we find a situation or experience relevantly similar to that from which Kant begins his philosophy of history: the situation or experience of the meaninglessness of history. The crisis of allegorical representation in the Baroque period rendered Nature, as whole, fragmentary and transitory. Insofar as history was considered, likewise, to be a meaningless muddle, lacking sovereign direction, Nature could be considered an appropriate representation of history; though no particular aspect of Nature had any fixed significance, considered as a whole it symbolized, precisely, its unreality. History, being experienced as unreal (i.e. transitory and ruined), was thus legitimately represented by Nature. And Nature as a whole is Satanic.

In highlighting the theological interpretation of Baroque *Trauerspiel*, Benjamin is thus diagnosing a response to the crisis of meaning in history diametrically opposed to that of Kant. On the one hand, faced with the meaninglessness of history, and

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[93] Ibid. While it is beyond the scope of this essay to investigate this claim further, it would no doubt be quite enlightening to compare Benjamin's thesis here with Voegelin's chapter "Truth and Representation" in *The New Science of Politics*.

[94] These are arguably the same circumstances to which Hobbes is responding in advocating, precisely, a radical and heretofore lacking form of political sovereignty.

with the irreducible facticity of the duty to realize the *summum bonum*, Kant turns to Nature in order to *redeem* social antagonism, and its seeming lack of direction, or meaning, thus subjecting human beings to a mythological alien force. Of course, the claim to happiness of human beings subject to these forces is, so to speak, "extra-historical" and negates the claim to natural legitimacy of any particular legal-order or State; this claim is theological and can only be fulfilled in the afterlife. The theological interpretation of Baroque *Trauerspiel*, on the other hand, ultimately rejects Nature – and the material world entirely – as unreal, illusory, and utterly passing away. Benjamin accepts, at least partially, this interpretation as late as "On the Concept of History," in the working notes for which he states "To grasp the eternity of historical events is really to appreciate the eternity of their transience"[95]. What he does not accept, however, is the *rejection* of the historical world, the theological insistence on the exclusively other-worldly possibility of redemption. What he holds on to is the idea that the transience of historical events, their ever-vanishing character, is in fact eternal, that is, outside the narrative histories constructed by linking historical events and, thus, that claims to lost happiness concomitant with transient historical events are likewise, in some sense, eternal. He holds on to the idea that the claim to happiness that can only be fulfilled *outside* (narrative or mythic) history, and is attempting to find a this-worldly response to this claim.

In holding onto the theological claim made by the lost, the ruined, the excluded and/or meaningless, Benjamin does not thereby commit the "betrayal" of which he accuses the theological interpreters of *Trauerspiel*, in which:

> Evil as such, which [allegory] cherished as enduring profundity, exists only in allegory, is nothing other than allegory, and means something other than it is. It means in fact precisely the nonexistence of what it presents. The absolute vices, as exemplified by tyrants and intriguers, are allegories. They are not real…[96]

That is, allegories are ultimately interpreted to be "unreal," insofar as they are indeterminate and deceptive; allegory as a mode of "representation" does not actually

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[95] *SW* 4:407.
[96] *OGT*, p. 233.

have any fixed referent. This unreality is "evil" to the extent that its indeterminacy and deceit are the result of god-forsakenness. In attempting to redeem the meaninglessness of human historical nature, the allegoricists assign the possibility of meaning to another world; the only response to this world is stoicism and resignation. But, in doing so, human beings are once again divested of their ability to create historical significance, and of their capacity to take historical action. As Susan Buck-Morss puts it:

> All hope is reserved for a hereafter that is "emptied of everything that contains even the imperceptible breath of the world." When Baroque allegory attempts to rescue a devalued nature by making its very devaluing meaningful as the sign of its opposite, redemption, then loyalty turns into betrayal... When the allegoricists, claiming that the fragments of failed nature are really an allegory of spiritual redemption as their opposite, a redemption guaranteed only by the Word, when they declare evil as "self-delusion" and material nature as "not real," then, for all practical purposes allegory becomes indistinguishable from myth.[97]

The theological allegoricists, along with Kant, attempt to redeem the fragmented, incoherent and discontinuous experience of oppression, misery and meaninglessness but in doing so resort to a mythologization that simply negates the experience: Nature either takes over for human agency, or reveals itself as meaningless and defers redemption to another world. Again, something like an authentically human history would exist in between Nature and Providence.

Benjamin's historical materialism discloses the situation of the oppressed, which is in fact the same situation faced by the Baroque allegoricists. In the experience of oppression, one recognizes that the narrative continuity of history is constituted by the State, or by sovereignty, from which one is excluded. In this sense, the temporality of the excluded is both fragmentary and discontinuous, and eternal. Nevertheless, one's historical existence appears both meaningless and precluded

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[97] *Dialectics of Seeing*, p. 175.

from action. In attempting to deal with this situation, Benjamin needs to steer between the Scylla of reducing human history to Nature and the Charybdis of infinitely deferring redemption to a world to come.

> The tradition of the oppressed teaches us that the "state of emergency" in which we live is not the exception but the rule. We must attain to a conception of history that accords with this insight. Then we will clearly see that is our task to bring about a real state of emergency… The current amazement that the things we are experiencing are "still" possible in the twentieth century is *not* philosophical. This amazement is not the beginning of knowledge – unless it is the knowledge that the view of history which gives rise to it is untenable.[98]

From the Temporality of the Exception to the History of Violence

As evidence for the claim that the situation experienced by the Baroque allegoricists, we can consider Benjamin's above call for a *new* sovereignty. The meaninglessness of history as represented by the Baroque allegoricists is grounded in an experience of the *lack* of political sovereignty. The political situation of the Baroque period (Reformation and Counter-Reformation, The Thirty Years' War, etc.) was characterized by a distinct lack of cohesive social unity, indisputable natural teleology, unquestioned social, political or religious authority, etc. In this situation, the idea of a meaningful, progressive (or progressing) narrative of history was simply not credible. It is arguably this general situation (though more specifically the experience of the English Civil War) that prompted Hobbes' radical response, namely, the legitimation of an Absolute Sovereign through a mythology of the State of Nature. Something of a solution to the apparent meaninglessness of human action was sought in the establishment, precisely, of a sovereign to establish and direct its norms.

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[98] Thesis VIII

But what has this to do with Benjamin? As further – admittedly biographical and circumstantial – evidence of Benjamin's interest in the question of sovereignty, it should be remembered that it was Bataille who kept the *Arcades Project* safe during the war, and the members of the *College de Sociologie* were among Benjamin's final intellectual interlocutors. In this intellectual milieu, rethinking the notion of "sovereignty" was arguably *the* overriding philosophical and sociological concern.

The concept of sovereignty to which Benjamin refers in his discussion of *Trauerspiel* is that of Carl Schmitt. His *Political Theology* begins (infamously) with the statement (which is in fact the first full paragraph):

> Sovereign is he who decides (upon) the state of exception.

Samuel Weber, among others, has highlighted Benjamin's professed admiration of Schmitt in their correspondence, suppressed in the published correspondence edited by Adorno and Scholem, and only reluctantly acknowledged by Rolf Tiedemann as "denkwürdig". Agamben, in particular, has acknowledged the relation between Schmitt and Benjamin in a roundabout fashion; arguably, the entire project of *Homo Sacer* is to precisely attain to a concept of history wherein the state of exception (or emergency) is seen to be the rule, that is, the political history of the West is the progressive totalization of the logic of sovereignty as defined by Schmitt. I follow Agamben's lead in "The Messiah and the Sovereign," in which he argues that Thesis VIII is indeed an allusion to Schmitt's definition[99]. That being said, I am not simply adopting his reasons for assuming so. I hope to motivate and justify this assumption somewhat independently, that is, without requiring *a priori* commitments to Agamben's more controversial claims.

There are those who might think that Benjamin's intellectual debt to Schmitt amounts to an irreducible tainting of his own work[100]. However, one need not endorse Schmitt's own politics in order to see the value in his work; his poor choice of a solution does not thereby mean he had misdiagnosed the situation. At any rate, we must for a moment examine Schmitt's definition of sovereignty. In declaring

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[99] Pp. 470-1.

[100] For example, Horst Bredekamp, who ultimately decrees that Schmitt's thought was ultimately "a trap from which Benjamin could not free himself even as he sought to turn it against itself" ("From Walter Benjamin to Carl Schmitt, via Thomas Hobbes," p. 463).

sovereignty to arise exclusively in so-called "sovereign decisions," what is Schmitt doing? First of all, he is attempting to think sovereignty without recourse to mythologies. Schmitt need not be read as providing a normative account, or a prescription, of how sovereignty ought to work, but can be read as attempting to unblinkingly describe his political situation. Rather than legitimate sovereignty with reference to a Hobbesian social contract, or to Nature or Providence (natural law), Schmitt is an unapologetic realist. Sovereignty, stripped of all legitimating narratives and ideologies, can only justify itself.

Of course, one might think that sovereignty is conditioned and/or constituted precisely by the *constitution*, that is, by the legal-political order over which the sovereign presides. Arguably, the constitution determines the limits of sovereign power, its responsibilities and rights, etc. So, what do we mean when we say that, for Schmitt, sovereignty is absolutely autarkic, self-justifying and self-legitimating? And why would he think so? Immediately after stating his definition of sovereignty, Schmitt claims that sovereignty is a "borderline concept"[101] and as such becomes most clearly intelligible in the extreme case. Why does he consider this to be the case? If sovereignty is going to be genuinely sovereign, it must not be beholden to the law, or the norm, of the constitution. This hinges on the *fact* of exceptional cases, that is, situations where constitutional law may or may not apply. For Schmitt, this was an empirical fact; the Weimar constitution made allowances for genuine exceptional states, namely Article 48[102]. That is, the Weimar constitution had "built in," so to speak, the possibility of its own suspension. But what would constitute an exceptional case? If the exceptional situation could be clearly distinguished in advance, then it would not in fact *be* an exceptional case, as it would be circumscribed by the law; if so, then in principle there could be laws proper to the (so-called) exceptional case, the application of which would be, in principle, no different from the application of any law in any particular case, allowing for the discretion of judges, police officers, etc.

But if the constitution cannot pre-determine what would count as a state of exception, and yet we admit that there *are* such cases, then there seems to be a

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[101] *Political Theology*, p. 5.
[102] p. 11.

dilemma; if we can claim that there is a state of exception, then we must have determined such a state as existing. But we cannot have determined that such a state exists with reference to the constitution, existent norms or laws. So, given that *ex hypothesi* we claim that states of exception are indeed possible, we are therefore committed to some authority greater than the constitution, which would provide the determination of such states, namely, the political sovereign. While constitutions may *in principle* provide the conditions of a state of exception (e.g. in Article 48, the "serious threat to order or safety"), the factual determination of a state of exception, as achieved through a sovereign decision, is ultimately more significant. The Canadian War Measures Act provides a wonderful example of this: according to the Act, the proclamation of the sovereign is "conclusive evidence" for the existence of insurrection. This all but implies that the factual scenarios in which these principles are invoked determine the very meaning of the principles provided by the constitution. (This is also one reason – among others – in favor of considering, with Schmitt, "the political" as such to subsume the juridical/constitutional sphere, and to be irreducible to this sphere.)

As we can see, once we are committed to the fact of the state of exception, it follows that there must be an authority able to determine such an exception. Schmitt's definition of sovereignty, then, seems uncontroversial. The sovereign is he who decides (upon) the state of exception. In other words, insofar as he decides *that there is* a state of exception, he likewise has determined *what* constitutes a state of exception. Conversely, insofar as the sovereign determines *what* constitutes an exception, he can legitimately decide whether or not *there is* a state of exception. Now, the sovereign may have many reasons for deciding whether or not a state of exception obtains – these might even be based on some sort of "guiding principle" of the constitution – but the important point is that the sovereign is not constrained by any particular reason or norm in making a sovereign decision.

Schmitt also distinguishes the state of exception from general chaos. In a "state" of chaos, there is no overriding sovereignty; no norms or laws apply, but neither is there a sovereign force capable of maintaining order (even if only violently so). The state of exception is declared, on the other hand, in order to maintain or institute order. In the state of exception, the constitution is suspended; the law is not

applicable. Nevertheless, the constitution is neither discarded nor annihilated; the actions of the sovereign and the State remain legitimate. In this sense, the sovereign legitimates or justifies himself. Moreover, the sovereign and State maintain the sovereign *power* to maintain order, to intervene in the lives of citizens, without being subject or beholden to laws or norms. The sovereign, therefore, is seen to be the self-legitimating ground of legitimacy; the law derives its legitimacy from the sovereign, but the sovereign is "outside the law," to the extent that he is not bound to them, while he is nevertheless "within the law" to the extent that sovereignty is legitimate[103]. What becomes clear, then, is that "legitimacy," on the model of sovereign power, is not founded in a narrative, a philosophy of history or social myth, nor on the model of a social contract; the sovereign – and, by extension, the State – is not legitimated by an agreement amongst subjects but is a matter of the reaches of sovereign power.

For Schmitt, the fact of the state of exception, its "factical possibility," is built into the Weimar constitution; it is an empirical reality. Underlying the possibility of the state of exception, however, is a certain understanding of temporality. In including the possibility of its own suspension, of the sovereign decision on the state of exception, the constitution admits its own limits. The admission of the possibility of the state of exception is an admission that an event may occur or a situation arise which *in principle* cannot be foreseen, determined, or circumscribed by the law. The future, that is, is not simply a present which has not yet arrived, which – although its particulars are not yet known – we can nevertheless determine as either lawful, or not. Insofar as the future may bring about a state of exception, that is, insofar as the future cannot be pre-determined with reference to present laws and norms, etc., it is not simply the progression of a linear sequence of events. Rather, the future is *radically* indeterminate. The sovereign decision, then, can be construed as a reaction against the radical futurity of the future. Indeed, for any State or sovereign, the future may hold devastation or prosperity, annihilation or victory. In deciding upon the state of exception, the sovereign domesticates this futurity; the law as set down in the present may not be applicable to what is "to come," but the sovereign grants

[103] My understanding of the logic of sovereignty here is indebted to Agamben's *Homo Sacer.*

himself the legitimate authority to exercise power so as to maintain order. That is, the State remains steadfast against its possible dissolution, as its sovereignty remains "legitimate" but is nevertheless not restrained by any juridical norms[104], and so has the capacity to react as the sovereign sees fit.

For Benjamin, narrative histories – of which the State is the subject, the *hypokeimenon* – are mythologies that perform an ideological legitimating function. In placing the ground of legitimacy in a progression sanctioned by Providence or directed by Nature, such philosophies of history place human beings at the mercy of alien forces. From this perspective, Schmitt's approach has the virtue of attempting to place the ground of legitimacy squarely within the realm of human action. Unfortunately, the mechanics of sovereignty that he describes appear irremediably reactionary: structured precisely so as to ward off a "threatening" future. The question to be raised, then, is whether or not this approach can made to service an "emancipatory" sort of sovereignty, or whether this is a contradiction in terms.

Let us return to the situation of the oppressed. The oppressed, insofar as they are lacking happiness, may come to regard the State as alien, and thus illegitimate to the extent that its norms and laws, while having force behind them, are foreign, heteronomous and thus not binding. Insofar as the State is the subject of narrative history, this places the oppressed "outside of history". It appears that the condition of the oppressed *is* the state of exception; they remain open to the "force of law," which legitimates itself with reference to itself alone, but without any meaningful norms or laws; as Agamben puts it, the law is "in force without significance". And, to the extent that the condition of oppression is constant, this state of emergency *is* the rule.

Of course, one might object that there remains a meaningful distinction between the "state of exception" and the situation of the oppressed, that is, that Benjamin is simply mistaken. For example, one might distinguish the condition of oppression of various segments of the American population prior to 9/11 – African-Americans,

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[104] There is perhaps interesting work to be done comparing Schmitt's sovereign decision (which domesticates the radical futurity of the future with regard to the State) with Heidegger's "anticipatory resoluteness" of "being-towards-death" (which domesticates the impossibility of death, its inappropriability and fragmenting effect, by construing it as one's "ownmost" possibility, the condition of the possibility of being an "authentic" – cohesive and coherent – self).

women, the poor, etc. – from that of the general population following the declaration of a state of exception (e.g. the effects of the Patriot Act). But Benjamin's point is not that the empirical conditions of each are identical. Rather, the implicit claim is that the official state of exception simply manifests and totalizes a latent condition that, in "everyday" circumstances, remains partial. An "official" state of exception, in suspending the law, reveals that sovereign force underlies and provides the only legitimation of law. The condition of the oppressed, similarly, is the situation of exposure to the sovereign force of the State so as to reveal the laws supported by this force to be alien or illegitimate. When one considers, for example, the complaints against the Patriot Act as "illegitimate" or "unconstitutional," even when the possibility of such an Act is provided for *in* the constitution, one can make (slightly more) sense of Benjamin's goal: to demonstrate that the structure of the State – the subject of historical continuity – is essentially alien or illegitimate, and thus its norms are not binding.

As we have seen, Schmitt's sovereignty is reactionary. The revelation of sovereignty in declaring (and enforcing) the state of exception is a bulwark against the unforeseeable vicissitudes of the future. What this suggests is that, for Benjamin, the oppression of the oppressed – the state of exception in which they live – signifies that, with regard to the State, the oppressed represent a real danger: an indeterminable future, a non-State future. The task, then, as Benjamin sees it, is "to bring about a *real* state of emergency". In a sense, for Schmitt, it *is* the sovereign who brings about the state of exception, who determines what was *not* determinate, and thus brings it into existence. If this is the task for the oppressed, then the task *is* to "become" sovereign, that is, to appropriate their situation, to recognize it as being *without* law (i.e. without legitimate, or binding, norms), but nevertheless to declare themselves, to *politicize* themselves and, in doing so, to challenge the oppressive State structure.

This brings us to the question of revolutionary subjectivity. As we saw, Benjamin's perspective on narrative history prevents him from naming the revolutionary subject as the proletariat. The proletariat is the final development of the narrative of class struggle, of the relations and forces of the class struggle. However, after critiquing narrative history (in and through his engagement with

Kant), Benjamin can account for neither the emergence nor justification of revolutionary subjectivity in terms of a development that can be narrated. The arrival of the revolutionary subject will be, precisely, *messianic* – unforeseeable and incalculable – and thus exactly what the state of exception is intended to prevent; as Benjamin says:

> We know that the Jews were prohibited from inquiring into the future: the Torah and the prayers instructed them in remembrance. This disenchanted the future, which holds sway over all those who turn to soothsayers for enlightenment. This does not imply, however, that for the Jews the future became homogeneous, empty time. For every second was the small gateway in time through which the Messiah might enter.[105]

The prohibition on soothsaying, for Benjamin, "disenchants" the future not by reducing it to a present that has not yet arrived, but precisely by *refusing* to do so, by refusing to predetermine the future by extending laws unto infinity. This understanding of the future – as radical futurity – leaves open the possibility of a messianic arrival, "from nowhere," as Tiedemann disparagingly puts it. And Tiedemann's pessimism regarding Benjamin's project is *prima facie* appropriate. If not the proletariat, emerging from history on the shoulders of its necessary development and dissolving the class structure just as inevitably, then who will take on the mantle of revolutionary subject?

For Benjamin, the problem becomes one of *motivation*. One can trace this problematic, discussed in terms of "awakening" and "shock effect" from "The Work of Art in the Age of Technological Reproduction" to the pieces on Baudelaire (it permeates the *Arcades Project* as well). As he puts it the so-called "Thesis XVIIa," which deserves quoting at length:

> In the idea of classless society, Marx secularized the idea of messianic time. And this was a good thing. It was only when the Social Democrats elevated this idea to an "ideal" that the trouble began. The ideal was defined in neo-Kantian doctrine

> as an "infinite task."[…] Once the classless society had been defined as an infinite task, the empty and homogeneous time was transformed into an anteroom, so to speak, in which one could wait for the emergence of the revolutionary situation with more or less equanimity. In reality, there is not a moment that would not carry with it *its* revolutionary chance… For the revolutionary thinker, the peculiar revolutionary chance offered by every historical moment gets it warrant from the political situation [that of the oppressed].[106]

Though Benjamin singles out the neo-Kantian strain of Social Democracy, he nevertheless puts his finger on a problem haunting Marxist thought more generally – that of the relation between the necessity of action and the motivation of the proletariat.

On the orthodox Marxist view, history is comprised of epochs that gain the status of "historical" based upon their internal differences with respect to the arrangement of forces and modes of production. This insight is based upon the self-knowledge of the proletariat (who themselves are the result of a certain arrangement of productive forces), who are both the "subject and object" of historical knowledge[107]. The situation of the proletariat becomes transparent, as they are the producers of its material support and its dispossessed, which somehow results in an undistorted perspective. How is this possible? Because the proletariat are not simply alienated, but *radically* alienated from their labor; they have nothing to lose but their chains. The laborer, dispossessed of her essence (her work) is alienated precisely from the determinative substructure; in bondage to the bourgeoisie, the proletariat are no longer in bondage to the material substructure but are in fact its producer. As alienated from this production, the laborer's essence becomes for her an object of consciousness: the proletariat becomes both the subject and object of knowledge.

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[105] Thesis B.

[106] *SW* 4:401-2.

[107] Again, this is Lukács' understanding of dialectical materialism, by which Benjamin's Marxism was considerably influenced. Cf. "What is Orthodox Marxism?" and "Reification and the Consciousness of the Proletariat" in *History and Class Consciousness*.

Both the substructure and superstructure of society become transparent to proletariat consciousness.

Marx, it can hardly be denied, harbored something like a Messianic dream in his gestures towards the post-revolutionary utopia about which he says very little. Benjamin's worry is that, as soon as this dream attempts to justify, legitimate, or ground itself "scientifically", it undermines itself. The self-knowledge of the proletariat is supposed to predict *and* motivate a revolution that is nevertheless supposedly objectively necessary. This move allows "Marxism" to be co-opted by those whom, like the Social Democrats Benjamin criticizes, reject its revolutionary ethos and ignore the original moral or ethical claim that motivates it. The Social Democratic argument would likely run along the following lines. If the revolution actually requires motivation, Marx should not be able predict it, as it is contingent upon the efficacy of this motivation. But the situation of the proletariat, for Marx, is precisely the situation that allows revolution to be predicted. Therefore, if eventual change is objectively necessary, and this necessity can be known solely on the basis of the situation of the proletariat, it need not be further motivated. The issue, therefore, is that of the relation of consciousness to action. Is the "grasping" of the situation supposed, in and of itself, to "causally" motivate the proletariat into action? Will they take action without realizing their class interest? It does not seem likely.

As mentioned, Benjamin cannot accept the orthodox historical materialist narrative – to the extent that such a narrative relies on an historically specific "revolutionary situation" to motivate revolutionary action – and thus cannot accept the proletariat as the uniquely revolutionary subject. Additionally, I take Benjamin to think that if the emancipation of the proletariat (and thus the dissolution of the entire class system) is a stage in the development of narrative history, then it cannot radically *break* from a history of oppression but will indeed continue it (for Benjamin, this would be the fate of "dictatorship of the proletariat" in the Soviet Union):

> The structure of Marx's basic idea is as follows: Through a series of class struggles, humanity attains to a classless society in the course of historical development. = *But classless society is not to be conceived as the endpoint of historical development.* = From this erroneous conception Marx's epigones have derived

> (among other things) the notion of the "revolutionary situation," which, as we know, has always refused to arrive. = A genuinely messianic face must be restored to the concept of classless society and, to be sure, in the interest of furthering the revolutionary politics of the proletariat itself.[108]

In the interest of *furthering* revolutionary politics – that is, of motivating and encouraging revolutionary *praxis* – the classless society must be (theoretically) rendered as incalculable and unknown: mere possibility, not determined by any sort of actuality.

This might seem utterly paradoxical, however, insofar as one might think that it is precisely the privileged status of the proletariat, as the unique revolutionary subject heralding the "end of history," that constitutes the strongest reason for action. But, as we mentioned, the privileged status of the proletariat also serves to undermine the motivational – or affective – reasons for action; there is no reason to *take* action because the revolution is going to occur *whether we like it or not*, that is, it will be necessitated by the contradictory arrangement of the forces and relations of production. Indeed, this is the ground of the complacency of the neo-Kantian socialists that Benjamin takes to task. (While it is best to be hesitant to refute philosophical claims with empirical evidence, one might also argue that for Benjamin, the events of the first half of the 20th Century served to refute the neo-Kantian "ideal," insofar as the oppressed were pushed to the brink of annihilation – an annihilation that would have seriously hindered any infinite task.)

So, what makes Benjamin's "call to arms" any more viable? As he puts it:

> The Social Democrats preferred to cast the working class in the role of a redeemer of *future* generations, in this way cutting the sinews of its greatest strength. This indoctrination made the working class forget both its hatred and its spirit of sacrifice, for both are nourished by the image of enslaved ancestors rather than by the ideal of liberated grandchildren.[109]

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[108] *SW* 4:402-3.
[109] Thesis XII.

The satisfaction of *hatred* and the *desire for vengeance* are taken by Benjamin to be the strongest motivators of the revolutionary politics of the proletariat: the utopia of the classless society is barely a factor:

> The existence of the classless society cannot be thought at the same time that the struggle for it is thought. But the concept of the present, in its binding sense for the historian, is necessarily defined by these two temporal orders. Without some sort of assay of the classless society, there is only a historical accumulation of the past. To this extent, every concept of the present participates in the concept of Judgment Day.[110]

The classless society – which, for Benjamin, is a "secularization of messianic time" – is the "eschatological perspective" that is requisite to find meaning in history, that was lacking for the Baroque allegoricists. Nevertheless, it is not a motivating factor for the politics of the oppressed; the concept simply renders intelligible the notion of an "end of history," makes possible the thought of a post-State political order, beyond any mythological legitimating narratives.

It is important to note, though, that though Benjamin has removed the proletariat from its privileged position as the historically unique revolutionary subject, he has granted the "eternal" oppressed a position of epistemic privilege:

> The subject of historical knowledge is the struggling, oppressed class itself. Marx presents it as the last enslaved class – the avenger that completes the task of liberation in the name of generations of the downtrodden.[111]

This epistemic privilege depends on the particular *situation* of the oppressed. As we saw, the situation of the oppressed is a permanent "state of exception," subject to the sovereign force of the State, which is the subject of narrative history. In this "state of exception," all meaningful norms are seen to be illegitimate, or non-binding. The exposure of the oppressed to sovereign force reveals the meaninglessness – the non-narrative, incoherent and discontinuous condition – of

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[110] *SW* 4:407.
[111] Thesis XII.

human existence. To the extent that this is the case, history – the past – cannot be transmitted, cannot be *given*, originarily, in narrative form. Rather, it is given in images and fragments. And it is the task of historical materialism to provide "a unique experience" with the past, that is, with these images. This is the history – "originary for every present" – that Benjamin refers to in the title of the essay, a history given in fragments, conceptually determined and *graspable*, serving to motivate political action.

As we saw, Benjamin has already noted two manners in which the past is disclosed. The first was as a ground of happiness, the source of the potential of the present. As Benjamin notes, the present needs to recognize itself as *intended* in the images, through which the past gives itself. That is to say, in the political project of taking hold of present happiness (the revolutionary politics of the proletariat), the oppressed recognize themselves as *intended* by the past, by a past which was *failed* by the State: which had its happiness expropriated, prevented, or annihilated. As Rebecca Comay puts it, "'Historical materialism' seizes *what was to have been the future* for generations now dead or silenced. It seizes the irreducible pastness of a future"[112]. So, in recognizing themselves as the fulfillment of the past – of the "agreement" between "past and present" which "cannot be settled cheaply" – the oppressed may well be motivated to take political action.

Of course, this motivating feature may well be ignored; for Benjamin, there is no necessity to revolution, no reference to the laws of history. If there is a tension in Marxist thought between the objective necessity of proletariat revolution – the "scientific" aspect of historical materialism – and the dual roles of consciousness and volition (*grasping* the situation and taking *action*), Benjamin absolutely discards the former (which serves as the opiate of "Marx's epigones") and places his bets on the uncertainty of *decisive* action. This political action, therefore, will mirror the decisive action of the Schmittian sovereign, though with important – even decisive – differences. It is the prerogative of the oppressed, in identifying their situation, to assert themselves politically (and, for Benjamin, revolutionarily). The "warrant" received from the situation refers to both the motivation and the legitimation of

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[112] "Redeeming Revenge: Nietzsche, Heidegger, Benjamin and the Politics of Memory," p. 317.

revolutionary action. In asserting its "sovereignty," however, the oppressed do not simply suspend the norms of the situation in the interest of maintaining the status quo, and are not merely self-legitimating. As opposed to the Schmittian sovereign, the uprising of the oppressed signifies the *arrival* of the *future*, of an unforeseeable future not bound by the law of the sovereign State. The end, therefore, of the revolutionary action of the oppressed is not the establishment of a new institutional sovereign order:

> [The peculiar revolutionary chance offered by every historical moment] is equally grounded [for the revolutionary thinker] in the right of entry which the historical moment enjoys vis-à-vis a quite distinct chamber of the past, one which up that point has been closed and locked. The entrance into this chamber coincides in a strict sense with political action, and it is by means of such entry that political action, *however destructive*, reveals itself as *messianic*.[113]

As early as the 1919-20 "World and Time" fragment, Benjamin noted that the "redemption of history [i.e. the Messianic task]" is a "*destruction* and liberation of a (dramatic) presentation" of the "*one who represents it* [picked out in the *Trauerspiel* book as the sovereign]"[114]. At this point, I think it is clear that one cannot hold apart – as Howard Caygill, admirably, attempts to do – the "messianic" political theology of the Theses from the Schmittian; for Benjamin, the two are intimately interwoven[115].

For Benjamin, the "messianic redemption" of history – insofar as it is "messianic" and thus "divine" – can be nothing other than the destruction of the sovereign State; the abolition of an oppressive institution. In the fragment cited above, Benjamin articulates the principle of revolutionary action guiding his thought up until the Theses:

> The guiding principle here is: authentic divine power can manifest itself *other than destructively* only in the world to come (the world of fulfillment). But where divine power enters into the secular world, it breathes destruction. That is why in this

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[113] *SW* 4:402. My emphasis.
[114] *SW* 1:226. My emphasis.

> world nothing constant and no organization can be based on divine power, let alone domination as its supreme principle.[116]

Bracketing, for the moment, Benjamin's further characterizations of "divine power" – or "divine violence" – we should note here that, in his mature thought, this divine power is specifically a "*weak* messianic power"[117]. It receives its legitimation not, as in Schmitt, from itself alone, but is granted the "*right* of entry" to the past. For Benjamin, the relevant source of normativity *is*, precisely, the givenness of the past, the past's claim to being reproduced. Indeed, in the second version – the version that Benjamin wished published – of "The Work of Art in the Age of Technological Reproduction," Benjamin notes that, in his time, "*Any person today can lay claim to being filmed*"[118]. This claim, as a (normative) demand is, for Benjamin, grounded in "the human being's legitimate claim to being reproduced"[119]. This is what Benjamin uncovers in the erosion of tradition: the normative force of the past giving itself over to the present, its affective and binding claim upon the present. It is important to note that the source of normativity is not located in the pure *act* of revolt, nor in the decision to revolt.

The question of the legality and legitimacy of revolutionary violence, in Benjamin's time, had some force. Two of Benjamin's major influences, Lukács and Sorel, had clearly dealt with the question in some detail. Recently, Christopher Finlay has discussed the question of the relation between violence and revolutionary subjectivity in the Marxist tradition. He notes that there are (in general) three different modes of creating a permissive space for violence within the tradition: justification, excuse, and legitimation[120]. Revolutionary violence is *justified* with reference to just ends; paradigmatically, the violence of the communist revolution is justified with reference to a just (classless) society, to "communist justice"[121] (though, in the early stages of the 21st century, we might no longer think this to be a justifiable reference; in light of the perpetual deferral – or failure – of such a 'just society,' this

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115 Cf. "Non-Messianic Political Theology in 'On the Concept of History'"
116 *SW* 1:226.
117 Thesis II.
118 *SW* 3:114.
119 Ibid.
120 "Violence and Revolutionary Subjectivity: Marx to Zizek," p. 376.
121 Ibid.

strategy begins to look like mere rhetoric). Revolutionary violence is *excused* insofar as, on the traditional historical materialist narrative, previous (failed or partial) revolutions were objectively necessary due to the intrinsic nature of historical development, and necessary *for* the (always-imminent) proletariat revolution[122]. However, Finlay locates a third mode of permitting revolutionary violence: "legitimation," which he takes to be grounded in the dissolution of "bourgeois morality"; revolutionary violence is legitimated according to its own criteria, which emerges from the destruction of bourgeois modes of thought. The question, then, for Benjamin, is how to create a permissive space for revolutionary or divine violence.

Clearly, for Benjamin, neither previous nor immanent revolutionary violence can be excused as a necessary feature of the historical development of humanity; for Benjamin, politics is not development but the "fulfillment of an unimproved humanity"[123]. Would Benjamin accept the *justification* of revolutionary violence? In the "Critique of Violence," Benjamin addresses this issue. Insofar as he hopes to provide a "critique" of violence, he intends to sketch the circumscribed limits of *legitimate* violence, to ask "with what right" can violence be employed. According to Benjamin, "natural law" sees no problem with violence insofar as it used as a *means* for *just* ends, as violence is a "raw material," a natural capacity of human beings and as such can only be judged with regard to its ends[124]. He therefore rejects natural law as being sufficient to provide a genuine critique of violence. Specifically, with regard to natural law, "[t]he question would remain open whether violence, as a principle, could be a *moral* means even to just ends"[125]. The horizon of Benjamin's questioning, here, is therefore the *moral*, or ethical. Whether or not violence can be just (or, *a fortiori*, justified), ultimately Benjamin is looking for not merely a political, tactical or ideological justification of violence, but its moral legitimation.

Of course, this leaves open the question of whether or not he accepts the justification of revolutionary violence. To claim that natural law theory cannot answer the question of the morality of violence is not to say that violence *cannot*

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[122] p. 377-8.
[123] *SW* 1:226.
[124] *SW* 1:236-7.
[125] *SW* 1:236. My emphasis.

thereby be justified (perhaps *a*morally, as opposed to *im*morally). Benjamin then contrasts natural law with positive law, of which he appears to be more approving, because positive law recognizes "violence as a product of history"[126]. Nevertheless, the two are characterized as being, while diametrically opposed, complementary: natural law can criticize *existing* law with reference to the justness of its ends, while positive law criticizes "evolving law" with reference to the legality of its (violent) means:

> Both schools meet in their common basic dogma: just ends can be attained by justified means, justified means used for just ends. Natural law attempts, by the justness of the ends, to "justify" the means, positive law to "guarantee" the justness of the ends through the justification of the means. This antinomy would prove insoluble if the common dogmatic assumption were false, if justified means on the one hand and just ends on the other were in irreconcilable conflict. No insight into this problem could be gained, however, until the circular argument had been broken, and mutually independent criteria both of just ends and of justified means were established.[127]

While natural law makes a mistaken distinction between just and unjust violence, Benjamin adopts the distinction of positive law – between legal and illegal violence – as a hypothesis, in order to draw out the meaning of such a distinction. He adopts this hypothesis because positive law takes as its basis the "historically acknowledged" sanctioning of violence. Two points need to be made here. First, Benjamin will clearly not accept the "justification" of revolutionary violence with reference to "just ends" insofar as this implies, unquestioningly, that *in principle* violence, considered as a means, is justifiable. Second, and this is both more pertinent and more interesting, in searching for the moral legitimation of violence as a principle, Benjamin looks to the sphere of law.

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[126] *SW* 1:237.
[127] Ibid.

As Benjamin puts it, "positive law demands of all violence a proof of its historical *origin*, which under certain conditions is declared legal, sanctioned"[128]. And, in the Theses, Benjamin quotes Kraus in the epigraph to Thesis XIV: "Origin is the goal". Thesis XIV itself discusses the "reincarnation" of Rome under Robespierre, and the ability of fashion to take its cue and directive from the past, whilst remaining topical. For Benjamin, in both cases, the ability of both to make the "tiger's leap" into the past is to receive its guiding norm from the past. The problem with both is that they are complicit with the oppression of the oppressed; the leap "takes place in an arena where the ruling class gives the commands". This arena is that circumscribed by the law, by the sovereign State, so it should come as no surprise that Benjamin, in the "Critique of Violence," ultimately comes to judge all law-making and law-preserving violence as "pernicious"[129]. Nevertheless, Benjamin begins from positive law *precisely* because it asks after origins. The task at hand is to locate an "origin" that would (morally) legitimate (revolutionary) violence. Given that he cannot adopt the narrative of historical materialism, he cannot simply legitimate this violence with regard to an emerging "class consciousness" and the destruction of bourgeois morality.

For Benjamin, the monopoly on violence possessed by the State is not in principle intended to either achieve legal ends or prevent the attainment of illegal ends. Otherwise, violence in the realm of law would be perfectly permissible, provided that it was aimed at just ends. Rather, the monopoly on violence – the prohibition of violence by individuals – serves to safeguard the law itself. As evidence, Benjamin notes that in the German State of his time, the only legal subject of violence other than the State is the "worker," this violence being the "workers' guaranteed right to strike"[130]. Yet the State rescinds the legitimacy of this violence when it is used to force change, that is, when the right to strike is used as leverage – "extortion" – in the class struggle. Violence is *only* legitimate – from the perspective of the State – when its end is law itself. Ultimately, for Benjamin, the law itself is violent, and violent as a pure means: law for the sake of law.

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[128] *SW* 1:238. My emphasis.
[129] *SW* 1: 252.
[130] *SW* 1:239.

Benjamin distinguishes between law-making, and law-preserving violence. Although Benjamin had not yet read Schmitt when he wrote the "Critique of Violence," the parallels are uncanny (especially when at the end, in contrast to "executive" law-making power, he defines divine violence as "sovereign"). However – and Derrida, among others, stresses this point – the distinction between law-making and law-preserving violence fails[131]. All law-preserving violence simply repeats law-making violence, or re-founds the law; Benjamin comes to refer to both forms as "mythical," here designating their cyclical or repetitive nature; while one State or legal-order may crumble to be replaced by another, the structure remains the same, that of foundation upon foundation, preservation upon preservation. In effect, then, the sovereign decision – the (groundless) ground or foundation for legality – is the example *par excellence* of this mythic violence. In order to preserve the law, the sovereign must suspend the law in order to found it. The moments of foundation, dissolution and preservation are brought together in the single political act. Moreover, it is precisely the (cyclical, repetitive) continuity of this violence – which founds and preserves the State – that allows the State, as subject of this violence, to serve as the subject of continuous, coherent, narrative (philosophies of) history. As Benjamin states it: "The critique of violence is the philosophy of its history"[132]. Insofar as the State is essentially violent, the critique of violence is in fact carried out by Benjamin's critique of mythological, ideological narrative histories.

The temporality of the exception is explicitly ideological. The very notion of the exception requires a future that is indeterminate, unknown, and still to-come. The sovereign decision – the declaration of the state of exception – admits this; its very purpose is to maintain the present in the face of the future. In doing so, it founds the law, and preserves the law, but nevertheless *suspends* the law. As much as Schmitt might have wished to prevent the emergence of the "monstrosity" of the future, his description of the ground of sovereignty nevertheless contains in it its own suspension, its own undoing, the condition of its impossibility. It is to this implicit failure of normativity *within* the subject of history that Benjamin will turn to legitimate revolutionary violence.

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[131] Cf. "Force of Law". Derrida proves to be quite a lucid expositor of Benjamin, even if his appraisal is far more critical than is warranted by his reading.

Conclusion: Divine Violence and Messianic Time

For Benjamin, the violence of law is also mythical insofar as the "ends" of violence – the legal-order it both founds and preserves – are designated by "fate," that is, these ends are alien to human agency[133]. Indeed, the end of law is law itself, and insofar as it is a means to itself, the distinction between means and ends collapses. The mythical element of law is simply its alien status – insofar as it is essentially alien, it cannot be appropriated to (or by) genuine (situational and contingent) human agency, and thus cannot be completed, accomplished, or finished. It remains continuous and repetitive.

We have already provisionally defined "messianic redemption" as the unsettling of any particular legal order. This unsettling, this delegitimation, mirrors Schmitt's "sovereign decision," that is, it renders the law non-binding, reveals it as illegitimate. But in doing so, as a non-State revolutionary subject, the oppressed are a manifest challenge to the sovereignty of the State; while for Lenin, the revolution was to be followed by the dictatorship of the proletariat, itself supposed to wither away, along with the State-form itself, for Benjamin the revolution is intended to put an end to the State-form immediately. In so doing, the oppressed allow for the arrival of a genuine "future," as the "world to come," the "world of fulfillment," "messianic time," and thus we must identify "messianic redemption" with "divine violence".

Benjamin, (in)famously, contrasts mythical violence with *divine violence*. Divine violence is characterized as being destructive, as a matter of obligation:

> Far from inaugurating a purer sphere, the mythical manifestation of immediate violence shows itself fundamentally identical with all legal violence, and turns suspicion concerning the latter into certainty of the perniciousness of its historical function [i.e. the constitution of mythic narrative history], the destruction of which becomes obligatory. This very task of destruction poses again, ultimately the question of a pure immediate violence that

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[132] *SW* 1:251.
[133] *SW* 1:248-9.

> might be able to call a halt to mythic violence. Just as in all spheres God opposes myth, mythic violence is confronted by the divine. And the latter constitutes its antithesis in all respects. If mythic violence is lawmaking, divine violence is law-destroying; if the former sets boundaries, the latter boundlessly destroys them; if mythic violence brings at once guilt and retribution, divine power only expiates…[134]

If mythical violence – constituting or foundational violence – is, in fact, immediate, it cannot be justified with reference to its end (itself) as if this end was somehow external to it. Neither is this violence excused as part of an ongoing mythical history, as it is precisely the institution of mythic violence that founds the subject of mythical history. It is legitimated in and through itself, immediately. But, as Benjamin notes, it is the historical function of violence that obligates one to its destruction.

Whence this obligation to destroy? The messianic agreement between past and present that constitutes the tradition of the oppressed obliges the oppressed to revolutionary political action. The divine violence of the revolutionary is "revealed as messianic" insofar as it is also an "entry into a quite distinct chamber of the past"[135]. As we have seen, for Benjamin the past *as such* is affective, and exerts a normative force on the present – the desire to be reproduced. The revolution, motivated by hatred and vengeance, is legitimated insofar as it brings about the *end* of the law; it is Messianic insofar as the fulfillment of the law is supposed to realize a justice *beyond* – or in excess of – the law.

So, how are we to think of revolution as fulfilling the law, as honoring the agreement between past and future? Benjamin notes that "only a redeemed humanity is granted the fullness of its past"[136]. As we see, divine (revolutionary) violence *expiates*, that is, it redeems; insofar as it destroys, or fulfills, the law, there is no more "guilt," or "sin," which are functions *of* the law. In destroying the law, the distinction between the illicit and the licit is no longer effective; there is no longer "transgression" of the law, and thus redemption is achieved. Redemption, therefore,

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[134] *SW* 1:249.
[135] *SW* 4:402.
[136] Thesis III.

is coextensive with the end (or interruption) of mythical history. In destroying the law, one destroys the subject of history:

> In the revelation of the divine, the world – the theater of history [i.e. the profane realm of the State, of law] – is subjected to a great process of decomposition, while time – the life of him who represents it – is subjected to a great process of fulfillment… But perhaps in this sense the profoundest antithesis to "world" is not "time" but "the world to come."[137]

Here Benjamin notes that "time" is the "life of him who represents it," while in the Theses he declares that "the nourishing fruit of what is historically understood contains time in its *interior* as a precious but tasteless seed"[138]. The point here is that, in the "world to come" – the Stateless future whose arrival the revolution announces – time is not ended but fulfilled, insofar as *life* is freed from the law. The demand of the past for its transmission, the legitimate desire for reproduction, can only be fulfilled *after* history, in the "world-to-come," the Stateless world, the "classless society" as secularized "messianic time".

Can a summary be made here, that would return us to the original problematic? Benjamin opens "On the Concept of History" by stipulating that historical materialism requires theology in order to be successful. In order to understand this stipulation, we must rethink both historical materialism and theology. Can we now provide a schematic that would present, on Benjamin's behalf, a coherent theoretical framework for thinking of history? For thinking of history in terms of the "theological" claim placed on the historical materialist? The following pages recapitulate the preceding investigation in a more systematic fashion, so that its various themes can appear in their full significance.

Let us begin with the "philosophy of history," broadly speaking, and construed, as Karl Löwith puts it, as "the systematic interpretation of universal history in accordance with a principle by which historical events and successions are unified

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[137] *SW* 1:226.
[138] Thesis XVII

and directed towards an ultimate meaning"[139]. In Kant and Hegel, the philosophy of history consists in making the State the subject of narrative history. For the latter, this narrative history chronicles the development and manifestation of the rational principle of Freedom, to the extent that here, "at the end of history," we can see that submission to the constitution of the State is identical with rational autonomy. Kant, on the other hand, does not begin at the "end of history". Rather, the situation facing Kant is precisely the apparent meaninglessness of what Benjamin calls "the world – the theater of history". But, as Karl Löwith puts it:

> ... there would be no search for the meaning of history if its meaning were manifest in historical events. It is the very absence of meaning in historical events that motivates the quest. Conversely, it is only within a pre-established horizon of ultimate meaning, however hidden it may be, that actual history appears to be meaningless.[140]

For Kant, this ultimate horizon of meaning is the realm of freedom, that is, of *morality*. The problem is that, in experience, we are faced with the irreducible *fact* of Reason, that is, of our moral obligation. Specifically, we are faced with the obligation to realize the highest good (perfect virtue conjoined with perfect happiness). But, when we actually attempt to make good on our obligation, to *realize* virtue in the public sphere, the *meaning* of these actions becomes ambiguous and undecidable. For the public sphere – the phenomenal world – is, for Kant, governed by *law*, that is, by *necessity* and *causality*. For all we might think our moral actions are determined by our moral intentions, once they are genuinely "actions," that is, public and phenomenal, we must admit that they are causally determined by natural laws.

For Kant, then, the horizon of meaning within which human history appears capricious or meaningless, is precisely that of morality. To Kant's eyes, the seeming meaninglessness of human activity is precisely a result of its failure to be *moral*, or to show *progress* towards a moral order. Ironically, Kant's solution to this problem of meaninglessness is to subordinate our morality – our rational autonomy – to the

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[139] *Meaning in History*, p. 1.
[140] p. 4.

teleology of Nature, which will guide human beings toward a just moral/legal order. The very factor that makes the morality of our actions ambiguous – natural causality – is supposed to somehow lead to a just constitution. Nevertheless, the achievement of this moral order is not in itself the achievement of the *summum bonum*; individuals still make a legitimate claim to happiness. The happiness of the individual, of course, cannot be guaranteed in this world, and thus the claim is a theological one that transcends the immanent progression of "natural history". This claim prevents any final order from being declared "legitimate," once and for all, insofar as no particular State, no legal-order, can claim to have conjoined happiness to virtue.

The historical narrative, then, that is supposed to follow from Kant's theoretical work, is explicitly guided by an "Idea"; the historical narrative can never be grasped in its totality as an object of cognition. It functions precisely as what Sorel calls a "social myth," something that is supposed to motivate and direct, precisely, the actions of human beings, while at the same time legitimating a particular political order.

The subject of these narrative philosophies of history (excepting, for the moment, the traditional Marxist philosophies of history) is the State. For Hegel, the subject is *actual* States insofar as these are manifestations of the Idea of Freedom. For Kant, the State is the subject of history insofar as the *actuality* of the (as yet unachieved) State (the just moral/legal order) is the teleological principle subordinating and directing its "potential," the "capacities of the human race". So, in these traditional narratives, the continuity of history is constituted by the (sovereign) State. And, moreover, this State is supposed (ultimately) to be reconciled with the individual human beings over whom it is sovereign – although Kant's own account admits that this is impossible.

I take Benjamin to approve Kant's starting point. But, to Benjamin, the Kantian presentation of this situation of meaninglessness – which, for Kant, ultimately means a "lack of direction," the lack of binding norms guiding human activity – would be a misdiagnosis: in the last instance, ideological. This same misdiagnosis is effective in the Baroque *Trauerspiel*, though the ultimate context of meaning is now theological; the meaninglessness of history – its reduction to Nature through allegory – is precisely taken to be due to a "lack of sovereignty," the failure of political direction

and binding norms. In contrast to the theological interpretation of this meaninglessness – the unreality of the material world, of human existence – Benjamin purports to offer an alternative interpretation: the "historical materialist" interpretation.

Benjamin notes three dimensions of the significance of the events of the First World War. First of all, the conditions of mechanized warfare, economic inflation and political domination strip experience of its authority. By this I understand Benjamin to mean that the conception of "experience" as a continuous and coherent "stream" is undermined; these conditions demonstrate precisely the incoherence and fragmented condition of human existence. This likewise demonstrates the failure of tradition; if human existence is not, at bottom, a narrative (continuous and coherent) then tradition can no longer apply "counsel," can no longer provide determinate norms for a meaningful life. But, in its breakdown, tradition discloses precisely the heteronomous normativity of the past. That is, tradition coheres and exerts its force on us – even if we cannot thereby translate this force into the conduct of our lives – grounded on nothing but the past itself, its "giving itself over to us". Insofar as this *is* the case, as the past *does* affect us merely in giving itself over to us, it provides us with a binding norm, namely, the preservation of the past, its reproduction and redemption. Moreover, the condition of political oppression is a "constant," so to speak, and thus reveals the heteronomy of the State, its "illegitimacy" (to the extent that "legitimacy" is to be grounded in the consent and rational recognition of the rule of the State).

This situation – of oppression and suffering – plays the same role in Benjamin's thinking here as it does in Kant's thought. It is the central problematic in the thinking of history. But Benjamin's interpretation here is diametrically opposed to that of Kant. It is not a condition of meaninglessness to be remedied by the development of a State as the subject of a progressive history. Rather, it is the *always already* of State domination that results in this condition of meaninglessness. Insofar as the State is the subject of continuous narrative history, it is precisely *this* history that is the problem. However, because the State is revealed as being heteronomous and illegitimate, and thus *foreign* or *alien* to the oppressed (just as in Kant, the State must be alien), the oppressed are in essence *excluded* from history, or – rather – they

inhabit a state of exception, as they are both "included and excluded": included as subject to the force of the State, while excluded from any sort of meaningful autonomy, from recognizing the State as non-alien.

And, thanks to Carl Schmitt, Benjamin can account for the alien, dominating aspect of the State. The legitimacy of the State is founded – and grounded – in the sovereign decision upon the state of exception. The sovereign decision is precisely an act of what Benjamin, much earlier, would call lawmaking violence; the state of exception is declared, and sovereign power kept in effect, in order to make the preservation of law its own end. The continuity of the sovereign State – its constitution as the subject of mythic/narrative history – is itself constituted by the sovereign decision, these acts of mythical violence. To the extent that the law is violently imposed and has itself as its end, it is essentially alien to human beings. But the sovereign decision also reveals a certain understanding of temporality. The sovereign decision, which in its repetitions continues to found mythic history, serves to extend the present (conceived here as what Benjamin calls "homogeneous, empty time") into the future, although the irruption of the future (as indeterminate and non-State) into the present is in fact the condition of the state of exception: this future is what Benjamin calls "the world to come," or "messianic time". Insofar as the situation of the oppressed *is* a state of exception, the legitimation of revolutionary violence can be located in this situation: the legitimate binding norms of the State are simply not in force. To the extent that the sovereign decision constituting history leaves the oppressed in a *constant* state of exception, Benjamin's statement that every instance is "shot through with splinters of messianic time"[141] seems warranted.

Benjamin's task, then, in the face of oppression by the State, and its ideological, legitimating masking by mythic narrative history – in the interest of the "revolutionary politics" to which he is committed – is to both motivate and legitimate revolutionary action. In order to do so, Benjamin presents what might be called a "counter-concept" of history. This is the purpose of his historical materialism: to provide a "unique experience" with history by deconstructing "epic"

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[141] Thesis A

or mythical history. Doing so means that Benjamin cannot appeal to an "Idea" of history, that is, he cannot be carrying out a "philosophy of history," in the sense given to it by Löwith above. He cannot be attempting to "unify and direct" "historical events" towards as "ultimate meaning," as if this meaning was not immanent and affective itself. Rather, he turns towards a more radical and originary experience. In order to articulate the narratives of mythic history, of course, the past must be given to us in some sense; insofar as Kant's philosophy of history remains guided by an regulative "Idea," insofar as history is *not yet* "over" in a sense that would reveal its ultimate meaning, the past *must* therefore be given to us as "fragmentary," that is, in images that – while not revealing the meaning of a narrative progression of events, of mythic history as a whole – nevertheless can be *grasped*, are meaningful and affective. These are the building blocks, so to speak, out of which the ideological constructions of mythical history are constructed. But prior to such construction, the issue is, as Paul Ricoeur puts it, "what is there to say of the enigma of an image, an *eikon*... that offers itself as the presence of an absent thing, stamped with the seal of the anterior?"[142]

For Benjamin, this *eikon* is the "dialectical image". The dialectical image has two salient characteristics. First, it is only intelligible in the situation of crisis and, second, this intelligibility hinges on recognizing that we were *intended* in the image. As we saw above, the past is disclosed as a ground of possibility in and through the pursuit of present happiness; the dialectical image – historical sources, traces, etc. – is "stamped with the seal of the anterior" insofar as it is precisely the past in its absence that grounds the possibilities of the present. In recognizing this, we recognize that we are – so to speak – indebted to the past. Likewise, the past is also disclosed as the source of a normative force, in and through the breakdown of tradition. These factors constitute what Benjamin calls the "secret agreement" between past and present. Our debt to the past is attested to by the fact that the past exerts an affective, normative force upon us. This "norm" is precisely the desire of the past to be transmitted, to be continued, to be "made present".

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[142] *Memory, History, Forgetting*, p. xvi.

To return to the present situation, Benjamin notes that the historical function of mythical violence demands its "divine" destruction. We can make sense of this in light of the agreement between past and present. The oppressed of the past, to which we owe the possibility of happiness, has been excluded from mythic history by the alien sovereign force, which keeps it in a "state of exception". Nevertheless, the oppressed of the past make a legitimate claim to remembrance, to preservation and to presence. In order to make good upon this claim – to fulfill this debt that "cannot be settled cheaply" – it would be necessary to dismantle (or destroy) the sovereign State (for what is history without a subject?).

With regard to the State, the oppressed exist in a state of exception, which is to say, embody or represent the radical futurity that the declaration of the state of exception is designed to efface or disavow. This is the same situation of meaninglessness that Benjamin locates as the origin of Baroque *Trauerspiel* and from which Kant begins his philosophy of history. For Benjamin, however, the task is to "bring about a *real* state of emergency," that is, to appropriate the state of exception and totalize it. Why, and what does this mean? To appropriate the state of exception means, precisely, to claim autonomy: to refuse to subject oneself to the sovereignty of alien state. In doing so, one recognizes the suspension of meaningful, binding political norms, and thus allows the possibility of a *legitimate* revolution. This legitimate revolution will pit the oppressed (as the messianic future) against the sovereign State (as the historical subject). The legitimacy of the State – which is simply the establishment and preservation of law itself – is challenged by the legitimately binding claim of the past upon the present. In creating this genuine state of exception, the oppressed of the present "manifest" divine – and eschatological – violence. In destroying the state, one effectively ends mythic history. This post-historical condition is demanded by the past, insofar as – without an exclusive and oppressive subject of history – the demand of those oppressed and excluded from mythic history, to be present, is – while not exactly fulfilled – at least not precluded by the logic of mythic history: "… only for a redeemed mankind has its past become

citable in all its moments. Each moment it has lived becomes a *citation à l'ordre du jour.* And that day is Judgment Day"[143].

With regard to what comes after the state, Benjamin is characteristically obscure. In his early works, he discusses the possibility of "anarchism," and notes that such an arrangement would need to "be defined from the locus of freedom in the philosophy of history"[144]. Now, for Hegel, this locus is precisely the State. For Kant, on the other hand, it is the realm of morality. I take Benjamin to be suggesting that, indeed, the goal is human autonomy, that is, to return to the ethical[145]. The ethical here should be considered, precisely, as the realization of human freedom – a freedom that is not subject to law, and thus indeterminate. When history ends, it will be incumbent upon human beings to figure things out for themselves, to take up responsibility for their actions and not attempt to mask these fragile attempts at interaction with the ideology of a higher historical purpose, to which one must submit. As we mentioned in our earlier discussion of Kant, to cast history as the progression of an unconscious or secret (and alien) process would be to disavow the ethical, to efface the horizon within which the "theater of history" appears problematic; for Benjamin, I think, the task is to accept the very *meaning* of the ethical as this apparent meaninglessness: ethics is a matter of appropriating this situation, and of trying – halting, stuttering, perhaps failing – to relate without law or knowledge[146].

With these very sketchy remarks on the "world to come," this study has reached its conclusion. Further work could perhaps be done in explicating the character of the "world to come" – even if indeterminate and lawless – in terms of Benjamin's earliest writings on ethics and language. But that task will have to be deferred for the moment. It will suffice to measure what we have accomplished against the goals set out. Have we figured out what Benjamin means when he says that historical

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[143] Thesis III.

[144] *SW* 1:227.

[145] In a fragment "The Right to Use Force," Benjamin discusses "ethical anarchism" as an irreparably problematic political program, while nevertheless applauding its attempt to think morality without the mediation of the State. In this fragment, legitimate violence is still considered as a "divine" gift. (*SW* 1:231-4)

[146] Arguably, this is precisely the situation that Agamben wishes to describe in *The Coming Community*, as well as in his elucidations, in *The Time That Remains*, of the notions of messianic time and the oath (*horkos*) as a paradigm of non-juridical human relations.

materialism requires a "theological" supplement? I believe so. Historical materialism – which, for Benjamin, arrives at a unique experience of the past via a theoretical deconstruction of mythical history – provides a normative and motivating ground for revolutionary action. Of course, the (desperately needed) theological supplement is precisely the *messianic* nature of this action: action that is not messianic in that it would restore a pure and unsullied origin, but only to the extent that it fulfills a *debt*, that is, it is legitimated by an agreement with the past (made present in dialectical images), and furthermore, that it is entirely uncertain. Traditional historical materialism founders when revolutionary action is considered as a development in mythic history, and not as its absolutely decisive interruption. Have we, furthermore, determined an answer to the *quaestio juris* regarding history, that is, have we answered the question of what it means to be historical, and with what right this can be determined? Again, I believe we have, even if there are multiple senses in which the question can be answered. To be historical is, on the one hand, for a human being to be indebted to the past, and to have the past's claim to survival placed upon it, while at the same time be subjected to the sovereign power constituting the subject of mythical history. To be genuinely historical, thus, means to be called upon to end history. On the other hand, one might say that dialectical images are genuinely historical insofar as they are the primary mode of the givenness of the past, both conceptually graspable and affective.

I will refrain from passing any sort of critical judgment on Benjamin's conception of history, and rather hope that a few general remarks will suffice as a conclusion. It often happens that, when engaging with a figure in the Continental tradition, one is confronted with thoughts that appear, at first bizarre, seemingly contradictory, paradoxical, or intuitively wrong, often expressed in language bordering on an idiolect. Benjamin, of course, is an extreme example of this situation. But one has to wager that something significant and important is being said, and let this bet motivate and orient a reading. To an extent, such a wager has motivated this study of Benjamin, betting that the apocalyptic intensity of expression in his essay on history concealed an interesting and substantive theoretical framework. I have attempted to provide coherent philosophical reasons that could make sense of his mysterious language while supporting some sort of novel position,

but despite my best reconstructive efforts, much of his thought remains obscure, perhaps owing to a failing on my part, but perhaps also to something in the nature of that thought. Benjamin's insistence on the normative aspect of the givenness to the past, while attractive, is too sketchy to be rendered into a genuinely defensible account. A thorough elucidation of the nature of the messianic relation is lacking, as is a compelling contextualization and motivation of the question of legitimacy that runs through his work. But at the same time, one has to respect a thinker of whom the past could demand so much, and who would not flinch. If Löwith is correct in claiming that the philosophy of history arises from an experience of meaningless, embedded in a deeper context of "ultimate" meaning, the spirit of Benjamin's essay is to reject the effacement of such an experience, but to rise to meet it and respond to it. Regardless of the fate of the details of Benjamin's thought, it may be that, in thematizing the claim of the past not as guilt, nor as the "burden of history," but as a messianic promise of the end of law, he has left us his greatest legacy; in thinking history as pessimistically as possible, Benjamin enjoins the gravest responsibility with the most radical hope.

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